



General Assembly

Bill No. 7502

*June Special Session,
2005*

LCO No. 8334

08334_____

Referred to Committee on No Committee

Introduced by:

REP. AMANN, 118th Dist.

SEN. WILLIAMS, 29th Dist.

***AN ACT CONCERNING THE IMPLEMENTATION OF VARIOUS
BUDGETARY PROVISIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-28b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Notwithstanding any provision of the general statutes: (1) If, during
4 any fiscal year, the state receives federal block grant funds, the
5 Governor shall submit recommended allocations of such funds to the
6 speaker of the House of Representatives and the president pro tempore
7 of the Senate. Within five days of receipt of the recommendations, the
8 speaker and the president pro tempore shall submit the recommended
9 allocations to the joint standing committee of the General Assembly
10 having cognizance of matters relating to appropriations and the
11 budgets of state agencies and to the joint standing committee or
12 committees of the General Assembly having cognizance of the subject
13 matter relating to such recommended allocations, as determined by the
14 speaker and the president pro tempore. [Within fifteen days of their

15 receipt of such recommended allocations, such committees shall hold a
16 public hearing on such recommended allocations.] Within thirty days
17 of their receipt of the Governor's recommended allocations, the
18 committee having cognizance of matters relating to appropriations and
19 the budgets of state agencies, in concurrence with the committee or
20 committees of cognizance, shall advise the Governor of their approval
21 or modifications, if any, of such recommended allocations. If the joint
22 standing committees do not concur, the committee chairpersons shall
23 appoint a committee on conference which shall be comprised of three
24 members from each joint standing committee. At least one member
25 appointed from each committee shall be a member of the minority
26 party. The report of the committee on conference shall be made to each
27 committee, which shall vote to accept or reject the report. The report of
28 the committee on conference may not be amended. If a joint standing
29 committee rejects the report of the committee on conference, the
30 Governor's recommended allocations shall be deemed approved. If the
31 joint standing committees accept the report, the committee having
32 cognizance of matters relating to appropriations and the budgets of
33 state agencies shall advise the Governor of their approval or
34 modifications, if any, of such recommended allocations, provided if
35 the committees do not act within thirty days, the recommended
36 allocations shall be deemed approved. Disbursement of such funds
37 shall be in accordance with the Governor's recommended allocations
38 as approved or modified by the committees. After such recommended
39 allocations have been so approved or modified, any proposed transfer
40 to or from any specific allocation of a sum or sums of over fifty
41 thousand dollars or ten per cent of any such specific allocation,
42 whichever is less, shall be submitted by the Governor to the speaker
43 and the president pro tempore and approved, modified or rejected by
44 the committees in accordance with the procedures set forth in this
45 subdivision. Notification of all transfers made shall be sent to the joint
46 standing committee of the General Assembly having cognizance of
47 matters relating to appropriations and the budgets of state agencies
48 and to the committee or committees of cognizance, through the Office

49 of Fiscal Analysis; (2) if, during any fiscal year, federal funding for
50 programs financed by state appropriations with federal
51 reimbursements is reduced below the amounts estimated under the
52 provisions of section 2-35, the Governor shall submit
53 recommendations to the joint standing committee having cognizance
54 of matters relating to appropriations and the budgets of state agencies
55 and to the committee of cognizance, for legislation necessary to modify
56 funding for such programs consistent with such reductions in federal
57 funding.

58 Sec. 2. (*Effective from passage*) (a) The unexpended balance of the
59 funds appropriated in subsection (a) of section 59 of public act 05-251
60 for the fiscal year ending June 30, 2005, shall not lapse on July 1, 2005,
61 and such funds shall continue to be available for expenditure during
62 the fiscal year ending June 30, 2006.

63 (b) The Secretary of the Office of Policy and Management may
64 transfer funds appropriated to the Office of Policy and Management,
65 for Energy Contingency, in subsection (a) of section 49 and subsection
66 (a) of section 59 of public act 05-251, to various state agencies, for
67 energy expenditures.

68 (c) Up to \$1,125,000 of the amount transferred to the Department of
69 Public Safety pursuant to subsection (b) of this section shall be
70 transferred to the Department of Public Safety, for Personal Services.

71 Sec. 3. Subsection (d) of section 1 of special act 99-8, as amended by
72 section 89 of public act 01-9 of the June special session and section 205
73 of public act 03-6 of the June 30 special session, is amended to read as
74 follows (*Effective from passage*):

75 (d) The pilot program established under this section shall terminate
76 September 20, [2005] 2007.

77 Sec. 4. Subsection (b) of section 12-564 of the general statutes is
78 repealed and the following is substituted in lieu thereof (*Effective July*

79 1, 2005):

80 (b) The executive director shall, with the advice and consent of the
81 board, conduct studies concerning the effect of legalized gambling on
82 the citizens of this state including, but not limited to, studies to
83 determine the types of gambling activity engaged in by the public and
84 the desirability of expanding maintaining or reducing the amount of
85 legalized gambling permitted in this state. Such studies shall be
86 conducted as often as the executive director deems necessary, [but in
87 no event shall a study] except that no studies shall be conducted [less
88 than] before the fiscal year ending June 30, 2009, and thereafter studies
89 shall be conducted at least once every ten years. The joint standing
90 committees of the General Assembly having cognizance of matters
91 relating to legalized gambling shall each receive a report concerning
92 each study carried out, stating the findings of the study and the costs
93 of conducting the study.

94 Sec. 5. (*Effective from passage*) Section 65 of public act 05-251 shall
95 take effect July 1, 2005.

96 Sec. 6. Subsection (f) of section 52-434 of the general statutes is
97 repealed and the following is substituted in lieu thereof (*Effective*
98 *January 1, 2006*):

99 (f) Each judge trial referee shall receive, for acting as a referee or as a
100 single auditor or committee of any court or for performing duties
101 assigned by the Chief Court Administrator with the approval of the
102 Chief Justice, for each day the judge trial referee is so engaged, in
103 addition to the retirement salary: (1) (A) On and after January 1, 2006,
104 and before January 1, 2007, the sum of two hundred [eleven] fifteen
105 dollars, and (B) on and after January 1, 2007, the sum of two hundred
106 twenty dollars; and (2) expenses, including mileage. [, for each day a
107 state referee is so engaged, said sums to be] Such amounts shall be
108 taxed by the court making the reference in the same manner as other
109 court expenses.

110 Sec. 7. Subsection (b) of section 22a-27h of the general statutes is
111 repealed and the following is substituted in lieu thereof (*Effective July*
112 *1, 2005*):

113 (b) Notwithstanding any provision of the general statutes, [to the
114 contrary,] (1) on and after June 1, 1990, [(1)] (A) the amount of any fee
115 received by the Department of Environmental Protection which is
116 attributable to the establishment of a new fee or the increase of an
117 existing fee pursuant to the provisions of title 23 or 26, and [(2)] (B) any
118 fees paid to the department, pursuant to said titles, which are in excess
119 of the total fees paid to the department pursuant to said titles for the
120 fiscal year ending June 30, 1989, shall be deposited directly into the
121 fund established by subsection (a) of this section and credited to the
122 conservation account. The Commissioner of Environmental Protection
123 shall certify to the Treasurer, with respect to each such fee received on
124 and after June 1, 1990, the amount of such fee which shall be credited
125 to the General Fund and the amount of such fee which shall be
126 credited to the conservation account, and (2) on and after July 1, 2005,
127 all fees collected by the department pursuant to title 23 for parking,
128 admission, boat launching, camping and other recreational uses of
129 state parks, forests, boat launches and other state facilities shall be
130 deposited into the Conservation Fund and credited to the conservation
131 account established by subsection (a) of this section.

132 Sec. 8. (NEW) (*Effective July 1, 2006*) (a) If any member of the armed
133 forces of the United States or of any state or of any reserve component
134 thereof who is domiciled in this state and who is called to active
135 service and deployed to Southwest Asia in support of Operation
136 Enduring Freedom or Operation Iraqi Freedom is, on or after
137 September 11, 2001, and before July 1, 2006, killed in action or dies as a
138 result of an accident or illness sustained while performing active
139 military duty with the armed forces of the United States and is
140 survived by:

141 (1) A spouse and a dependent child or children under eighteen

142 years of age, the Comptroller shall draw (A) an order on the Treasurer
143 for the sum of one hundred thousand dollars, payable in equal
144 monthly installments over a period of not less than ten years to such
145 member's spouse, except that any such payments shall terminate on
146 the death or remarriage of such spouse during said ten-year period,
147 and (B) an order on the Treasurer for monthly payments of fifty dollars
148 for each dependent child under eighteen years of age, payable to such
149 spouse or the guardian of each such child, until such child reaches
150 eighteen years of age;

151 (2) No spouse and a dependent child or children under eighteen
152 years of age, the Comptroller shall draw (A) an order on the Treasurer
153 for the sum of one hundred thousand dollars, payable in equal
154 monthly installments over a period of not less than ten years to the
155 guardian of such child or children on behalf of and for the care of such
156 child or children, except that any such payments shall terminate when
157 the youngest of such children reaches eighteen years of age during
158 said ten-year period, and (B) an order on the Treasurer for monthly
159 payments of fifty dollars for each dependent child under eighteen
160 years of age, payable to the guardian of such child, on behalf of and for
161 the care of such child, until such child reaches eighteen years of age;

162 (3) A spouse and no child or children under eighteen years of age,
163 the Comptroller shall draw an order on the Treasurer for the sum of
164 fifty thousand dollars payable in equal monthly installments over a
165 period of not less than five years, to such spouse, except that any such
166 payments shall terminate on the death or remarriage of such spouse
167 during such five-year period;

168 (4) No spouse and no child or children under eighteen years of age
169 but a parent or parents dependent upon such member, the
170 Comptroller shall draw an order on the Treasurer for the sum of fifty
171 thousand dollars, payable to such member's parent or parents in equal
172 monthly installments over a period of not less than five years, except
173 that (A) on the death of one such parent, the surviving parent shall

174 continue to receive the entire monthly payments under the provisions
175 of this subdivision, and (B) on the death of such surviving parent
176 during such five-year period, such payments shall cease.

177 (b) The amount paid to any person under this section shall be
178 reduced by the amount of any death benefit that is paid to such person
179 for the death of such member under any federal law.

180 Sec. 9. (NEW) (*Effective from passage*) Notwithstanding the provisions
181 of section 12-146 of the general statutes, any municipality may, by
182 ordinance, provide that no interest shall be charged or collected for a
183 period of one year on any property tax or any installment or part
184 thereof that is payable by any resident of the state for real property
185 assessed on the 2003 grand list, provided such resident is domiciled
186 with and the spouse of a member of the armed forces of the United
187 States or of any state or of any reserve component thereof who has
188 been called to active service in the armed forces of the United States for
189 military operations that are authorized by the President of the United
190 States that entail military action in Iraq and who is serving in the
191 Middle East on the final day that payment of such property tax or
192 installment or part thereof is due.

193 Sec. 10. (NEW) (*Effective from passage*) (a) As used in this section, (1)
194 "department" means the Military Department, (2) "fund" means the
195 Military Family Relief Fund established in accordance with this
196 section, (3) "eligible member of the armed forces" and "eligible
197 member" means a member of the armed forces, as defined in
198 subsection (a) of section 27-103 of the general statutes, including the
199 Connecticut National Guard, who is on active duty and who is
200 domiciled in this state, (4) "immediate family member" means an
201 eligible member's spouse, child or parent who is domiciled in this
202 state, or any other member of an eligible member's family who lives in
203 the same household as the eligible member, and (5) "essential personal
204 or household goods or services" includes, but is not limited to, repairs,
205 medical services that are not covered by insurance, transportation,

206 babysitting, clothing, school supplies or any other goods or services
207 that are essential to the well-being of an eligible member's immediate
208 family.

209 (b) There is established, within the General Fund, a separate,
210 nonlapsing account to be known as the "Military Family Relief Fund".
211 The account shall contain (1) any amounts appropriated or otherwise
212 made available by the state for the purposes of this section, (2) any
213 moneys required by law to be deposited in the account, and (3) gifts,
214 grants, donations or bequests made for the purposes of this section.
215 Investment earnings credited to the assets of the fund shall become
216 part of the assets of the fund. Any balance remaining in the account at
217 the end of any fiscal year shall be carried forward in the account for
218 the fiscal year next succeeding. The State Treasurer shall administer
219 the fund. All moneys deposited in the account shall be used by the
220 Military Department for the purposes of this section. The Military
221 Department may deduct and retain from the moneys in the account an
222 amount equal to the costs incurred by the department in administering
223 the provisions of this section, except that said amount shall not exceed
224 two per cent of the moneys deposited in the account in any fiscal year.

225 (c) The Military Department shall use the Military Family Relief
226 Fund to make grants to immediate family members of eligible
227 members of the armed forces for essential personal or household
228 goods or services in this state if the payment for such goods or services
229 would be a hardship for such family member because of the military
230 service of the eligible member. The department shall not make any
231 grant that exceeds the balance available for grants in the fund.

232 (d) The department shall establish an application process that is
233 simple for immediate family members. The department shall act on
234 each application no later than seven days after the date on which the
235 completed application is submitted to the department.

236 (e) On or after six months from the effective date of this section,
237 after evaluating the performance of the program during the preceding

238 six months, including available resources and applications received,
239 the department may commence the process to adopt regulations, in
240 accordance with the provisions of chapter 54 of the general statutes,
241 that would facilitate the purposes of this section, including, but not
242 limited to, establishing a maximum amount of each grant, of each type
243 of grant or of grants to the immediate family members of any eligible
244 member, and establishing criteria for the approval of grant
245 applications. The department may implement the policies and
246 procedures contained in such proposed regulations while in the
247 process of adopting such proposed regulations, provided the
248 department publishes notice of intention to adopt the regulations in
249 the Connecticut Law Journal no later than twenty days after
250 implementing such policies and procedures. Policies and procedures
251 implemented pursuant to this subsection shall be valid until the earlier
252 of the date on which such regulations are effective or one year after the
253 publication of such notice of intention.

254 (f) On or before October 15, 2005, and on or before the fifteenth day
255 following the close of each calendar quarter thereafter, the department
256 shall submit a report to the select committee of the General Assembly
257 having cognizance of matters relating to veterans' and military affairs,
258 in accordance with section 11-4a of the general statutes, that contains
259 the following information for the preceding calendar quarter: (1) The
260 number of applications received, (2) the number of eligible members
261 whose immediate family members received grants under this section,
262 (3) the amount in grants made to the immediate family of each such
263 eligible member, (4) the uses for such grants, and (5) any
264 recommendations regarding the Military Family Relief Fund,
265 including any proposed legislation to facilitate the purposes of this
266 section. Such reports shall not identify the name of any eligible
267 member or of any immediate family member. Notwithstanding the
268 provisions of subsection (a) of section 1-210 of the general statutes, all
269 information obtained by the Military Department that contains the
270 name or address of, or other information that could be used to identify,
271 an eligible member or an immediate family member shall be

272 confidential.

273 Sec. 11. (NEW) (*Effective July 1, 2005, and applicable to taxable years*
 274 *commencing on or after January 1, 2005*) (a) Any taxpayer filing a return
 275 under chapter 229 of the general statutes for taxable years commencing
 276 on or after January 1, 2005, may contribute all or part of a refund under
 277 chapter 229 of the general statutes to the Military Family Relief Fund
 278 established in section 10 of this act, by indicating on the tax return the
 279 amount to be contributed to the fund.

280 (b) A contribution or designation made pursuant to this section shall
 281 be irrevocable upon the filing of the return. A taxpayer making a
 282 contribution or designation pursuant to this subsection shall so
 283 indicate on the tax return in a manner provided for by the
 284 Commissioner of Revenue Services.

285 (c) A contribution of all or part of a refund shall be made in the full
 286 amount indicated if the refund found due the taxpayer upon the initial
 287 processing of the return, and after any deductions required by chapter
 288 229 of the general statutes, is greater than or equal to the indicated
 289 contribution. If the refund due, as determined upon initial processing,
 290 and after any deductions required by said chapter 229, is less than the
 291 indicated contribution, the contribution shall be made in the full
 292 amount of the refund. The Commissioner of Revenue Services shall
 293 subtract the amount of any contribution of all or part of a refund from
 294 the amount of the refund initially found due the taxpayer and shall
 295 certify (1) the amount of the refund initially found due the taxpayer,
 296 (2) the amount of any such contribution, and (3) the amount of the
 297 difference to the Secretary of the Office of Policy and Management and
 298 the State Treasurer for payment to the taxpayer in accordance with
 299 said chapter 229. For the purposes of any subsequent determination of
 300 the taxpayer's net tax payment, such contribution shall be considered a
 301 part of the refund paid to the taxpayer.

302 (d) The Commissioner of Revenue Services, after notification of and
 303 approval by the Secretary of the Office of Policy and Management,

304 may deduct and retain from the moneys collected under subsections
305 (a) to (c), inclusive, of this section an amount equal to the costs of
306 administering this section, but in any fiscal year beginning on or after
307 July 1, 2006, not to exceed four per cent of such moneys collected in
308 such fiscal year. The Commissioner of Revenue Services shall deposit
309 the remaining moneys collected in the Military Family Relief Fund.

310 Sec. 12. (NEW) (*Effective from passage*) (a) As used in this section, (1)
311 "member" means a member of the armed forces, as defined in section
312 27-103 of the general statutes, including the Connecticut National
313 Guard, who is on active duty and who is a resident of this state, (2)
314 "services" includes, but is not limited to, repairs, gardening,
315 transportation, babysitting, tutoring, cooking or any other services that
316 a member or member's family would find helpful, and (3) "local
317 organizations" includes not-for-profit organizations that serve
318 members and veterans and their families, and other organizations that
319 seek to volunteer services to members and their families.

320 (b) The Family Program of the Connecticut National Guard shall
321 establish a volunteer service program in which a volunteer service
322 coordinator coordinates with municipalities and local organizations
323 throughout the state to provide services by volunteers to members and
324 their families. No person shall volunteer any services for which a
325 license, certificate of registration, permit or other credentials issued by
326 a state agency is required unless such person holds such license,
327 certificate of registration, permit or other credentials.

328 (c) The volunteer services coordinator shall identify municipalities
329 and local organizations that provide volunteer services to members
330 and their families in communities throughout the state and shall assist
331 such municipalities and local organizations.

332 (d) On or before January 31, 2006, and annually thereafter, the
333 Family Program of the Connecticut National Guard shall report to the
334 select committee of the General Assembly having cognizance of
335 matters relating to veterans' and military affairs, in accordance with

336 section 11-4a of the general statutes, on the services provided by
337 volunteers to members throughout the state, including, but not limited
338 to, the level of services in different geographical areas.

339 Sec. 13. (NEW) (*Effective from passage*) The Family Program of the
340 Connecticut National Guard shall publicize to all members of the
341 armed forces, as defined in subsection (a) of section 27-103 of the
342 general statutes, including the Connecticut National Guard, and their
343 families the availability throughout the state of therapy support
344 groups for such members and their families. The publicity shall
345 include contact information for referral to support groups in locations
346 that are convenient for such members and their families.

347 Sec. 14. (NEW) (*Effective from passage*) (a) As used in this section,
348 "eligible member or veteran" means a member or former member of
349 the Connecticut National Guard who (1) is or was called to active
350 service on or after September 11, 2001, (2) is or was in such active
351 service for at least ninety consecutive days, (3) during such active
352 service, is or was deployed to an area designated as a combat zone by
353 the President of the United States, and (4) if discharged, is or was
354 honorably discharged or discharged for injuries sustained in the line of
355 duty.

356 (b) On and after July 1, 2005, the Adjutant General shall pay each
357 eligible member or veteran the amount of fifty dollars for each month
358 or major part thereof of active service by such eligible member or
359 veteran on or after September 11, 2001. The maximum payment to any
360 eligible member or veteran shall not exceed five hundred dollars. No
361 payment shall be made to any eligible member or veteran who makes
362 application for such payment later than three years after the date of the
363 cessation of such operations in which such member or veteran served.

364 (c) The Adjutant General, in consultation with the Commissioner of
365 Veterans' Affairs, shall adopt regulations, in accordance with the
366 provisions of chapter 54 of the general statutes, to implement the
367 provisions of this section. Such regulations shall include procedures

368 for verification of eligibility of an eligible member or veteran and for
369 the application for and payment of the amounts specified in this
370 section.

371 Sec. 15. (NEW) (*Effective July 1, 2005*) The Commissioner of Veterans'
372 Affairs in conjunction with the Adjutant General shall award a ribbon
373 and medal to each veteran who served in time of war, as defined in
374 subsection (a) of section 27-103 of the general statutes, and who either
375 (1) was a resident of this state at the time he or she was called to active
376 duty for such service, or (2) is domiciled in this state on the date of
377 such award. The commissioner in conjunction with the Adjutant
378 General shall adopt regulations, in accordance with chapter 54 of the
379 general statutes, setting forth the process for designing the ribbon and
380 medal, identifying veterans who are eligible for the ribbon and medal
381 under this section and establishing procedures for distributing the
382 ribbon and medal to each eligible veteran. The cost of the ribbons and
383 medals shall be paid from the funds appropriated to the military
384 assistance account within the Military Department. Awards under this
385 section may not be made posthumously.

386 Sec. 16. Subsection (d) of section 10a-77 of the general statutes is
387 repealed and the following is substituted in lieu thereof (*Effective July*
388 *1, 2005*):

389 (d) Said board of trustees shall waive the payment of tuition at any
390 of the regional community-technical colleges (1) for any dependent
391 child of a person whom the armed forces of the United States has
392 declared to be missing in action or to have been a prisoner of war
393 while serving in such armed forces after January 1, 1960, which child
394 has been accepted for admission to such institution and is a resident of
395 Connecticut at the time such child is accepted for admission to such
396 institution, (2) for any veteran having served in time of war, as defined
397 in subsection (a) of section 27-103, or who served in either a combat or
398 combat support role in the invasion of Grenada, October 25, 1983, to
399 December 15, 1983, the invasion of Panama, December 20, 1989, to

400 January 31, 1990, or the peace-keeping mission in Lebanon, September
401 29, 1982, to March 30, 1984, who has been accepted for admission to
402 such institution and is [a resident of Connecticut] domiciled in this
403 state at the time such veteran is accepted for admission to such
404 institution, (3) for any resident of Connecticut sixty-two years of age or
405 older, provided, at the end of the regular registration period, there are
406 enrolled in the course a sufficient number of students other than those
407 persons eligible for waivers pursuant to this subdivision to offer the
408 course in which such person intends to enroll and there is space
409 available in such course after accommodating all such students, (4) for
410 any student attending the Connecticut State Police Academy who is
411 enrolled in a law enforcement program at said academy offered in
412 coordination with a regional community-technical college which
413 accredits courses taken in such program, (5) for any active member of
414 the Connecticut Army or Air National Guard who (A) [is a resident of
415 Connecticut, (B)] has been certified by the Adjutant General or such
416 Adjutant General's designee as a member in good standing of the
417 guard, and [(C)] (B) is enrolled or accepted for admission to such
418 institution on a full-time or part-time basis in an undergraduate
419 degree-granting program, (6) for any dependent child of a (A) police
420 officer, as defined in section 7-294a, or supernumerary or auxiliary
421 police officer, (B) firefighter, as defined in section 7-323j, or member of
422 a volunteer fire company, (C) municipal employee, or (D) state
423 employee, as defined in section 5-154, killed in the line of duty, and (7)
424 for any resident of the state who is a dependent child or surviving
425 spouse of a specified terrorist victim who was a resident of this state. If
426 any person who receives a tuition waiver in accordance with the
427 provisions of this subsection also receives educational reimbursement
428 from an employer, such waiver shall be reduced by the amount of such
429 educational reimbursement. Veterans described in subdivision (2) of
430 this subsection and members of the National Guard described in
431 subdivision (5) of this subsection shall be given the same status as
432 students not receiving tuition waivers in registering for courses at
433 regional community-technical colleges. Notwithstanding the

434 provisions of section 10a-30, as used in this subsection, "domiciled in
 435 this state" includes domicile for less than one year.

436 Sec. 17. Subsection (d) of section 10a-99 of the general statutes is
 437 repealed and the following is substituted in lieu thereof (*Effective July*
 438 *1, 2005*):

439 (d) Said board shall waive the payment of tuition fees at the
 440 Connecticut State University system (1) for any dependent child of a
 441 person whom the armed forces of the United States has declared to be
 442 missing in action or to have been a prisoner of war while serving in
 443 such armed forces after January 1, 1960, which child has been accepted
 444 for admission to such institution and is a resident of Connecticut at the
 445 time such child is accepted for admission to such institution, (2) for
 446 any veteran having served in time of war, as defined in subsection (a)
 447 of section 27-103, or who served in either a combat or combat support
 448 role in the invasion of Grenada, October 25, 1983, to December 15,
 449 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,
 450 or the peace-keeping mission in Lebanon, September 29, 1982, to
 451 March 30, 1984, who has been accepted for admission to such
 452 institution and is [a resident of Connecticut] domiciled in this state at
 453 the time such veteran is accepted for admission to such institution, (3)
 454 for any resident of Connecticut sixty-two years of age or older who has
 455 been accepted for admission to such institution, provided (A) such
 456 person is enrolled in a degree-granting program, or (B) at the end of
 457 the regular registration period, there are enrolled in the course a
 458 sufficient number of students other than those persons eligible for
 459 waivers pursuant to this subdivision to offer the course in which such
 460 person intends to enroll and there is space available in such course
 461 after accommodating all such students, (4) for any student attending
 462 the Connecticut Police Academy who is enrolled in a law enforcement
 463 program at said academy offered in coordination with the university
 464 which accredits courses taken in such program, (5) for any active
 465 member of the Connecticut Army or Air National Guard who (A) [is a
 466 resident of Connecticut, (B)] has been certified by the Adjutant General

467 or such Adjutant General's designee as a member in good standing of
 468 the guard, and [(C)] (B) is enrolled or accepted for admission to such
 469 institution on a full-time or part-time basis in an undergraduate
 470 degree-granting program, (6) for any dependent child of a (A) police
 471 officer, as defined in section 7-294a, or supernumerary or auxiliary
 472 police officer, (B) firefighter, as defined in section 7-323j, or member of
 473 a volunteer fire company, (C) municipal employee, or (D) state
 474 employee, as defined in section 5-154, killed in the line of duty, and (7)
 475 for any resident of this state who is a dependent child or surviving
 476 spouse of a specified terrorist victim who was a resident of the state. If
 477 any person who receives a tuition waiver in accordance with the
 478 provisions of this subsection also receives educational reimbursement
 479 from an employer, such waiver shall be reduced by the amount of such
 480 educational reimbursement. Veterans described in subdivision (2) of
 481 this subsection and members of the National Guard described in
 482 subdivision (5) of this subsection shall be given the same status as
 483 students not receiving tuition waivers in registering for courses at
 484 Connecticut state universities. Notwithstanding the provisions of
 485 section 10a-30, as used in this subsection, "domiciled in this state"
 486 includes domicile for less than one year.

487 Sec. 18. Subsection (e) of section 10a-105 of the general statutes is
 488 repealed and the following is substituted in lieu thereof (*Effective July*
 489 *1, 2005*):

490 (e) Said board of trustees shall waive the payment of tuition fees at
 491 The University of Connecticut (1) for any dependent child of a person
 492 whom the armed forces of the United States has declared to be missing
 493 in action or to have been a prisoner of war while serving in such armed
 494 forces after January 1, 1960, which child has been accepted for
 495 admission to The University of Connecticut and is a resident of
 496 Connecticut at the time such child is accepted for admission to said
 497 institution, (2) for any veteran having served in time of war, as defined
 498 in subsection (a) of section 27-103, or who served in either a combat or
 499 combat support role in the invasion of Grenada, October 25, 1983, to

500 December 15, 1983, the invasion of Panama, December 20, 1989, to
501 January 31, 1990, or the peace-keeping mission in Lebanon, September
502 29, 1982, to March 30, 1984, who has been accepted for admission to
503 said institution and is [a resident of Connecticut] domiciled in this
504 state at the time such veteran is accepted for admission to said
505 institution, (3) for any resident of Connecticut sixty-two years of age or
506 older who has been accepted for admission to said institution,
507 provided (A) such person is enrolled in a degree-granting program, or
508 (B) at the end of the regular registration period, there are enrolled in
509 the course a sufficient number of students other than those persons
510 eligible for waivers pursuant to this subdivision to offer the course in
511 which such person intends to enroll and there is space available in
512 such course after accommodating all such students, (4) for any active
513 member of the Connecticut Army or Air National Guard who (A) [is a
514 resident of Connecticut, (B)] has been certified by the Adjutant General
515 or such Adjutant General's designee as a member in good standing of
516 the guard, and [(C)] (B) is enrolled or accepted for admission to said
517 institution on a full-time or part-time basis in an undergraduate
518 degree-granting program, (5) for any dependent child of a (A) police
519 officer, as defined in section 7-294a, or supernumerary or auxiliary
520 police officer, (B) firefighter, as defined in section 7-323j, or member of
521 a volunteer fire company, (C) municipal employee, or (D) state
522 employee, as defined in section 5-154, killed in the line of duty, and (6)
523 for any resident of the state who is the dependent child or surviving
524 spouse of a specified terrorist victim who was a resident of the state. If
525 any person who receives a tuition waiver in accordance with the
526 provisions of this subsection also receives educational reimbursement
527 from an employer, such waiver shall be reduced by the amount of such
528 educational reimbursement. Veterans described in subdivision (2) of
529 this subsection and members of the National Guard described in
530 subdivision (4) of this subsection shall be given the same status as
531 students not receiving tuition waivers in registering for courses at The
532 University of Connecticut. Notwithstanding the provisions of section
533 10a-30, as used in this subsection, "domiciled in this state" includes

534 domicile for less than one year.

535 Sec. 19. Subsection (e) of section 27-102n of the general statutes is
536 repealed and the following is substituted in lieu thereof (*Effective from*
537 *passage*):

538 (e) The board shall submit an annual report to the Governor, [and
539 to] the joint standing committee of the General Assembly having
540 cognizance of matters relating to public safety and the select
541 committee of the General Assembly having cognizance of matters
542 relating to military and veterans' affairs, in accordance with the
543 provisions of section 11-4a, on its activities with its recommendations,
544 if any, for improving the delivery of services to veterans and the
545 addition of new programs.

546 Sec. 20. Section 31-98 of the general statutes is repealed and the
547 following is substituted in lieu thereof (*Effective January 1, 2006*):

548 (a) The panel, or its single member if sitting in accordance with
549 section 31-93, may, in its discretion and with the consent of the parties,
550 issue an oral decision immediately upon conclusion of the
551 proceedings. If the decision is to be in writing, it shall be signed, within
552 fifteen days, by a majority of the members of the panel or by the single
553 member so sitting, and the decision shall state such details as will
554 clearly show the nature of the decision and the points disposed of by
555 the panel. Where the decision is in writing, one copy thereof shall be
556 filed by the panel in the office of the town clerk in the town where the
557 controversy arose and one copy shall be given to each of the parties to
558 the controversy. The panel or single member which has rendered an
559 oral decision immediately upon conclusion of the proceedings shall
560 submit a written copy of the decision to each party within fifteen days
561 from the issuance of such oral decision. In all cases where a decision is
562 rendered orally from the bench, the secretary shall cause such oral
563 decision to be transcribed, approved by the panel or single member as
564 applicable and filed with the records of the board proceedings.

565 (b) Upon the conclusion of the proceedings, each member of the
 566 panel shall receive one hundred [fifty] seventy-five dollars, and on and
 567 after July 1, 2006, two hundred twenty-five dollars and a panel
 568 member who prepares a written decision shall receive an additional
 569 one hundred twenty-five dollars, and on and after July 1, 2006, one
 570 hundred seventy-five dollars, or the single member, if sitting in
 571 accordance with section 31-93, shall receive two hundred [fifty]
 572 seventy-five dollars, and on and after July 1, 2006, three hundred
 573 twenty-five dollars, provided if the proceedings extend beyond one
 574 day, each member shall receive [seventy-five] one hundred dollars,
 575 and on and after July 1, 2006, one hundred fifty dollars for each
 576 additional day beyond the first day, and provided further no
 577 proceeding may be extended beyond two days without the prior
 578 approval of the Labor Commissioner for each such additional day.

579 (c) Upon the conclusion of an executive panel session, each member
 580 of such panel shall receive [seventy-five] one hundred dollars, and on
 581 and after July 1, 2006, one hundred fifty dollars.

582 Sec. 21. (NEW) (*Effective July 1, 2005*) The Department of Veterans'
 583 Affairs shall provide a toll-free telephone number for use as a
 584 clearinghouse by active members of the armed forces in this state,
 585 including the National Guard, and their families to obtain, in response
 586 to their requests about benefits or services that may be available to
 587 such members or their families, referrals to entities that provide such
 588 benefits or services. The toll-free telephone number shall be staffed by
 589 employees of or trained volunteers working at the Department of
 590 Veterans' Affairs on weekdays during regular business hours, and on
 591 weekends and holidays from nine o'clock a.m. to five o'clock p.m.

592 Sec. 22. (NEW) (*Effective July 1, 2005*) (a) As used in this section, (1)
 593 "department" means the Department of Veterans' Affairs, (2) "service
 594 member" means a member of the armed forces, as defined in
 595 subsection (a) of section 27-103 of the general statutes, including the
 596 Connecticut National Guard, (3) "veteran" has the same meaning as

597 provided in subsection (a) of section 27-103 of the general statutes, and
598 (4) "committee" means the select committee of the General Assembly
599 having cognizance of matters relating to veterans' and military affairs.

600 (b) The Department of Veterans' Affairs shall develop and maintain
601 a service members' and veterans' contact list, consisting of only the
602 names and mailing addresses of service members and veterans who
603 reside in this state, using information in the department's records and
604 information submitted to the department by (1) the Military
605 Department, as provided in subsection (c) of this section, (2) the
606 assessor of each town, as provided in subsection (d) of this section, and
607 (3) service members or veterans, as provided in subsection (e) of this
608 section.

609 (c) On or before September 1, 2005, the Military Department shall
610 submit to the Department of Veterans' Affairs a list of the name and
611 mailing address, but no other information, of each service member
612 who is a resident of this state that is in the records of the Military
613 Department.

614 (d) On or before the sixtieth day following the date on which an
615 exemption pursuant to subdivision (19) of section 12-81 of the general
616 statutes takes effect, as provided in section 12-95 of the general
617 statutes, the assessor of each town that granted any such exemption
618 shall submit to the Department of Veterans' Affairs a list of the name
619 and mailing address, but no other information, of each individual who
620 has such exemption.

621 (e) A service member or veteran who is a resident of this state may
622 add his or her name and mailing address to the contact list by
623 submitting such information to the Department of Veterans' Affairs in
624 person or by mail. A service member shall include a copy of his or her
625 military identification card and a veteran shall include a copy of his or
626 her military discharge document, as defined in section 1-219 of the
627 general statutes.

628 (f) Any individual who is included in the contact list may cause his
629 or her name to be removed from the contact list by notifying the
630 Department of Veterans' Affairs in writing.

631 (g) (1) The Department of Veterans' Affairs or the Military
632 Department may use the contact list solely for the purposes of
633 notifying service members or veterans of benefits, proposed or enacted
634 legislation that affects service members or veterans or their families, or
635 other information that the Department of Veterans' Affairs or the
636 Military Department believes will be helpful to service members or
637 veterans or their families. The Department of Veterans' Affairs shall
638 provide a copy of the contact list to the Military Department, upon
639 receipt of a written request signed by the Adjutant General.

640 (2) Notwithstanding the provisions of subsection (a) of section 1-210
641 of the general statutes, the Department of Veterans' Affairs and the
642 Military Department shall not disclose any information in the contact
643 list to any person other than as provided in this subsection. No person
644 shall use the contact list for any purpose other than as provided in
645 subdivision (1) of this subsection.

646 Sec. 23. Section 28-31 of the general statutes is repealed and the
647 following is substituted in lieu thereof (*Effective July 1, 2005*):

648 (a) The Department of Public Utility Control shall establish a
649 nuclear safety emergency preparedness account, which shall be a
650 separate, nonlapsing account within the General Fund, and which
651 shall be financed through assessments of all Nuclear Regulatory
652 Commission licensees [operating] that own or operate nuclear power
653 generating facilities in the state. The department shall initially assess
654 the licensees for a total of two million dollars. The department may
655 assess licensees for such amounts as necessary for the purposes of the
656 account, provided the balance in the account at the end of the fiscal
657 year may not exceed three hundred thousand dollars. The department
658 shall annually assess the licensees, upon the request of the [Adjutant
659 General of the Military Department] Commissioner of Emergency

660 Management and Homeland Security, for funding to support annual
661 expenses of five staff positions in the Department of Environmental
662 Protection and three staff positions in the [Military Department]
663 Department of Emergency Management and Homeland Security.
664 Personnel shall be assigned to said staff positions solely for the
665 purposes of the program established pursuant to subsection (b) of this
666 section. Federal reimbursements and grants obtained in support of the
667 nuclear safety emergency preparedness program shall be paid into the
668 General Fund and credited to the account. The department shall
669 develop an equitable method of assessing the licensees for their
670 reasonable pro-rata share of such assessments. All such assessments
671 shall be included as operating expenses of the licensees for purposes of
672 rate-making. All moneys within the account shall be invested by the
673 State Treasurer in accordance with established investment practices
674 and all interest earned by such investments shall be returned to the
675 account.

676 (b) Moneys in the account shall be expended by the [Adjutant
677 General of the Military Department] Commissioner of Emergency
678 Management and Homeland Security, in conjunction with the
679 Commissioner of Environmental Protection, only to support the
680 activities of a nuclear safety emergency preparedness program and
681 only in accordance with the plan approved by the Secretary of the
682 Office of Policy and Management under subsection (c) of this section.
683 The program shall include, but not necessarily be limited to: (1)
684 Development of a detailed fixed facility nuclear emergency response
685 plan for areas surrounding each nuclear electrical generation facility
686 and each away-from-reactor spent fuel storage facility, (2) annual
687 training of state and local emergency response personnel, (3)
688 development of accident scenarios and exercising of fixed facility
689 nuclear emergency response plans, (4) provision of specialized
690 response equipment necessary to accomplish this task, (5) support for
691 the operations and personal services costs of the radiological
692 instrument maintenance and calibration facility, as necessary to
693 replace any reduction in current federal funding, and (6) any other

694 measures as may be required by the Nuclear Regulatory Commission
695 and the Federal Emergency Management Agency of the United States
696 Department of Homeland Security. Moneys in the account shall be
697 distributed as follows to carry out the purposes of the program: The
698 [Adjutant General of the Military Department] Commissioner of
699 Emergency Management and Homeland Security may expend not
700 more than twenty-five per cent of the proceeds of the maximum
701 annual assessment for administrative functions incident to the
702 program. The [Adjutant General] Commissioner of Emergency
703 Management and Homeland Security may expend such additional
704 funds as are necessary to assure and maintain emergency operations
705 center capabilities and specialized response equipment necessary to
706 implement the fixed facility nuclear emergency response plans. The
707 remaining moneys in the account may be allocated to other state
708 agencies and used to reimburse municipalities for costs incurred in the
709 purchase and maintenance of equipment and for services rendered in
710 carrying out the purposes of the program.

711 (c) Not later than November first, annually, the [Adjutant General of
712 the Military Department] Commissioner of Emergency Management
713 and Homeland Security, in consultation with the Commissioner of
714 Environmental Protection, shall submit to the Secretary of the Office of
715 Policy and Management a plan for carrying out the purposes of the
716 nuclear safety emergency preparedness program during the next state
717 fiscal year. The plan shall include proposed itemized expenditures and
718 measures for the program. The secretary shall review the plan and, not
719 later than December first, annually, approve the plan if it conforms to
720 the provisions of this section.

721 (d) All moneys within the nuclear safety emergency preparedness
722 account may be expended only in accordance with the provisions of
723 this section.

724 (e) Notwithstanding the provisions of subsection (a) of this section,
725 the Department of Public Utility Control may allow an additional

726 assessment of the licensees to supplement the initial assessment of
727 such licensees if either the Nuclear Regulatory Commission or the
728 Federal Emergency Management Agency of the United States
729 Department of Homeland Security disapproves or informs, in writing,
730 the Commissioner of Emergency Management and Homeland Security
731 that it is likely to disapprove the nuclear safety emergency
732 preparedness plan and additional funds are or would be needed to
733 conform the plan to acceptable standards.

734 Sec. 24. Section 51 of public act 01-1 of the June special session, as
735 amended by section 16 of public act 03-6 of the June 30 special session,
736 is repealed and the following is substituted in lieu thereof (*Effective*
737 *from passage*):

738 Notwithstanding the provisions of sections 10-67 to 10-73b,
739 inclusive, of the general statutes, for the fiscal years ending June 30,
740 [2004] 2006, and June 30, [2005] 2007, the WACE Technical Training
741 Center in Waterbury shall be eligible to spend up to \$300,000 of
742 funding received under the Adult Education Grant pursuant to said
743 sections 10-67 to 10-73b, inclusive, for technical training.

744 Sec. 25. (*Effective from passage*) Notwithstanding the provisions of
745 subsection (a) of section 31-261 of the general statutes, \$18,000,000 of
746 the amount credited to this state's account in the Unemployment Trust
747 Fund pursuant to Section 903 of the Social Security Act, as amended by
748 Section 209 of Public Law 107-147, with respect to federal fiscal year
749 2002, is deemed to be appropriated to the Labor Department and shall
750 be used as follows: \$10,000,000 to improve the 20 year old IT
751 infrastructure for the unemployment program; \$2,500,000 to migrate
752 data and improve the CTWorks Business System that links the One-
753 Stop-Jobs First, Workforce Investment Act and the Wagner-Peyser Act
754 programs; \$3,500,000 to improve the linkages between employers and
755 potential employees; and \$2,000,000 to expand the electronic storage
756 needed for employer tax forms. Such amounts shall be available for
757 expenditure to the extent allowed under Section 903 of the Social

758 Security Act, as amended by Section 209 of Public Law 107-147.

759 Sec. 26. Subsection (a) of section 14-41 of the general statutes is
760 repealed and the following is substituted in lieu thereof (*Effective July*
761 *1, 2005*):

762 (a) Except as provided in section 14-41a, each motor vehicle
763 operator's license shall be renewed every six years or every four years
764 on the date of the operator's birthday in accordance with a schedule to
765 be established by the commissioner. On and after July 1, [2005] 2007,
766 the Commissioner of Motor Vehicles shall screen the vision of each
767 motor vehicle operator prior to every other renewal of the operator's
768 license of such operator in accordance with a schedule adopted by the
769 commissioner. Such screening requirement shall apply to every other
770 renewal following the initial screening. In lieu of the vision screening
771 by the commissioner, such operator may submit the results of a vision
772 screening conducted by a licensed health care professional qualified to
773 conduct such screening on a form prescribed by the commissioner
774 during the twelve months preceding such renewal. No motor vehicle
775 operator's license may be renewed unless the operator passes such
776 vision screening. The commissioner shall adopt regulations, in
777 accordance with the provisions of chapter 54, to implement the
778 provisions of this subsection relative to the administration of vision
779 screening.

780 Sec. 27. Section 14-164m of the general statutes is repealed and the
781 following is substituted in lieu thereof (*Effective July 1, 2005*):

782 Notwithstanding the provisions of section 13b-61, commencing on
783 July 1, [2001] 2007, and on the first day of each October, January, April
784 and July thereafter, the State Comptroller shall transfer from the
785 Special Transportation Fund into the Emissions Enterprise Fund, one
786 million six hundred twenty-five thousand dollars of the funds received
787 by the state pursuant to the fees imposed under sections 14-49b and 14-
788 164c. Notwithstanding the provisions of section 13b-61, on July 1, 2005,
789 October 1, 2005, January 1, 2006, and April 1, 2006, the State

790 Comptroller shall transfer from the Special Transportation Fund into
791 the Emissions Enterprise Fund, four hundred thousand dollars of the
792 funds received by the state pursuant to the fees imposed under
793 sections 14-49b and 14-164c. Notwithstanding the provisions of section
794 13b-61, on July 1, 2006, October 1, 2006, January 1, 2007, and April 1,
795 2007, the State Comptroller shall transfer from the Special
796 Transportation Fund into the Emissions Enterprise Fund, one million
797 dollars of the funds received by the state pursuant to the fees imposed
798 under sections 14-49b and 14-164c.

799 Sec. 28. (NEW) (*Effective July 1, 2005*) The State Fire Administrator
800 may, within available funds, administer a supplemental grant award
801 remittance program to support local volunteer fire companies that
802 provide emergency response services on a limited access highway, or,
803 on a section of the highway known as the Berlin Turnpike, which
804 begins at the end of the existing Wilbur Cross Parkway in the town of
805 Meriden and extends northerly along Route 15 to the beginning of that
806 section of limited access highway in the town of Wethersfield known
807 as the South Meadows Expressway, or on that section of Route 8 in
808 Beacon Falls which is within the boundaries of the Naugatuck State
809 Forest. Eligible fire companies may receive direct payment of grant
810 funds or may use the funds as credits for fee-based services provided
811 by the Commission on Fire Prevention and Control. Any such credits
812 shall be used during the fiscal year for which they are received.

813 Sec. 29. (*Effective July 1, 2005*) During the fiscal year ending June 30,
814 2006, and the fiscal year ending June 30, 2007, the sum of \$165,000
815 shall be transferred from the appropriation to the Department of
816 Administrative Services, for Personal Services, to the appropriation to
817 the State Comptroller - Fringe Benefits, for State Employees Health
818 Service Cost, for each of said fiscal years.

819 Sec. 30. (NEW) (*Effective July 1, 2005*) In order to be eligible to
820 receive funds from the Office of Policy and Management for the
821 Leadership, Education, Athletics in Partnership (LEAP) program, or

822 the Neighborhood Youth Centers program, an applicant must provide
823 a match of at least fifty per cent of the grant amount. The cash portion
824 of such match shall be at least twenty-five per cent of the grant
825 amount.

826 Sec. 31. (*Effective July 1, 2005*) The sum of \$300,000 appropriated to
827 the Labor Department, for the fiscal year ending June 30, 2006, and the
828 fiscal year ending June 30, 2007, for Spanish-American Merchants
829 Association, shall be transferred to the Office of Workforce
830 Competitiveness, for Spanish-American Merchants Association, for
831 said fiscal years.

832 Sec. 32. Section 12-20b of the general statutes is amended by adding
833 subsection (c) as follows (*Effective July 1, 2005*):

834 (NEW) (c) Notwithstanding the provisions of section 12-20a or
835 subsection (a) of this section, the amount due the city of New London,
836 on or before the thirtieth day of September, annually, with respect to
837 the United States Coast Guard Academy in New London, shall be five
838 hundred thousand dollars, which amount shall be paid from the
839 annual appropriation, from the General Fund, for reimbursement to
840 towns for loss of taxes on private tax-exempt property.

841 Sec. 33. (NEW) (*Effective from passage*) (a) As used in this section:

842 (1) "Eligible member" means a member of the Connecticut National
843 Guard who served in the Persian Gulf War, as defined in 38 USC 101,
844 or in an area designated as a combat zone by the President of the
845 United States during Operation Enduring Freedom or Operation Iraqi
846 Freedom;

847 (2) "Veteran" means a veteran, as defined in subsection (a) of section
848 27-103 of the general statutes, who served as an eligible member;

849 (3) "Military physician" includes a physician who is under contract
850 with the United States Department of Defense to provide physician
851 services to members of the armed forces; and

852 (4) "Depleted uranium" means uranium containing less uranium-235
853 than the naturally occurring distribution of uranium isotopes.

854 (b) On and after October 1, 2005, the Adjutant General and the
855 Commissioner of Veterans' Affairs shall assist any eligible member or
856 veteran who (1) has been assigned a risk level I, II or III for depleted
857 uranium exposure by his or her branch of service, (2) is referred by a
858 military physician, or (3) has reason to believe that he or she was
859 exposed to depleted uranium during such service, in obtaining federal
860 treatment services, including a best practice health screening test for
861 exposure to depleted uranium using a bioassay procedure involving
862 sensitive methods capable of detecting depleted uranium at low levels
863 and the use of equipment with the capacity to discriminate between
864 different radioisotopes in naturally occurring levels of uranium and
865 the characteristic ratio and marker for depleted uranium. No state
866 funds shall be used to pay for such tests or such other federal
867 treatment services.

868 (c) On or before October 1, 2005, the Adjutant General shall submit a
869 report to the select committee of the General Assembly having
870 cognizance of matters relating to military and veterans' affairs, in
871 accordance with the provisions of section 11-4a of the general statutes,
872 on the scope and adequacy of training received by members of the
873 Connecticut National Guard on detecting whether their service as
874 eligible members is likely to entail, or to have entailed, exposure to
875 depleted uranium. The report shall include an assessment of the
876 feasibility and cost of adding predeployment training concerning
877 potential exposure to depleted uranium and other toxic chemical
878 substances and the precautions recommended under combat and
879 noncombat conditions while in a combat zone.

880 Sec. 34. (*Effective from passage*) (a) There is established a task force to
881 study the health effects of the exposure to hazardous materials,
882 including, but not limited to, depleted uranium, as they relate to
883 military service. The task force shall, within available appropriations:

884 (1) With the approval of the president pro tempore of the Senate and
885 the speaker of the House of Representatives, and subject to the
886 provisions of subsection (c) of this section, commission a study to
887 consider the health of service members who may have been exposed to
888 hazardous materials since August 2, 1990, and conduct a scientific
889 conference on such health effects; (2) initiate a health registry for
890 veterans, as defined in subsection (a) of section 27-103 of the general
891 statutes, and military personnel returning from Afghanistan, Iraq or
892 other countries in which depleted uranium or other hazardous
893 materials may be found; (3) develop a plan for outreach to and follow-
894 up of military personnel; (4) prepare a report for service members
895 concerning potential exposure to depleted uranium and other toxic
896 chemical substances and the precautions recommended under combat
897 and noncombat conditions while in a combat zone; and (5) make any
898 other recommendations the task force considers appropriate.

899 (b) The task force shall consist of the following members:

900 (1) The Commissioner of Veterans' Affairs or a designee;

901 (2) The Commissioner of Public Health or a designee;

902 (3) Six members who are members of the General Assembly,
903 appointed, one each, by the president pro tempore of the Senate, the
904 speaker of the House of Representatives and the majority and minority
905 leaders of the Senate and the House of Representatives;

906 (4) Two members who are veterans with knowledge of or
907 experience with exposure to hazardous materials, appointed, one each,
908 by the president pro tempore of the Senate and the speaker of the
909 House of Representatives; and

910 (5) Four members who are physicians or scientists with knowledge
911 of or experience in the detection or health effects of exposure to
912 depleted uranium or other hazardous materials, appointed, one each,
913 by the majority and minority leaders of the Senate and the House of

914 Representatives.

915 (c) The person retained to conduct the study under subdivision (1)
916 of subsection (a) of this section shall, prior to being retained, disclose
917 to the president pro tempore of the Senate and the speaker of the
918 House of Representatives any research done by such person (1) on any
919 matters related to depleted uranium, or (2) that was funded by an
920 entity that is engaged in manufacturing processes that use depleted
921 uranium.

922 (d) All appointments to the task force shall be made no later than
923 thirty days after the effective date of this section. Any vacancy shall be
924 filled by the appointing authority.

925 (e) The president pro tempore of the Senate and the speaker of the
926 House of Representatives shall appoint as chairpersons of the task
927 force one senator and one representative, respectively, from among the
928 members appointed under subdivision (3) of subsection (b) of this
929 section. The chairpersons shall schedule the first meeting of the task
930 force, which shall be held no later than sixty days after the effective
931 date of this section.

932 (f) The administrative staff of the select committee of the General
933 Assembly having cognizance of matters relating to military and
934 veterans' affairs shall serve as administrative staff of the task force.

935 (g) Not later than January 31, 2006, the task force shall submit a
936 report on its findings and recommendations to the select committee of
937 the General Assembly having cognizance of matters relating to
938 military and veterans' affairs, in accordance with the provisions of
939 section 11-4a of the general statutes. The task force shall terminate on
940 the date that it submits such report or January 31, 2006, whichever is
941 earlier.

942 Sec. 35. (*Effective July 1, 2005*) (a) The sum of \$1,000,000 appropriated
943 to the Office of Policy and Management, for Neighborhood Youth

944 Centers, for the fiscal years ending June 30, 2006, and June 30, 2007,
945 shall be used for a grant to the Boys' and Girls' Clubs of Connecticut,
946 provided said organization shall be required to provide a one hundred
947 per cent cash match for such sum.

948 (b) The sum of \$200,000 appropriated to the Office of Policy and
949 Management for Neighborhood Youth Centers for the fiscal years
950 ending June 30, 2006, and June 30, 2007, shall be used for a grant to San
951 Jose Cooperative Youth, Hill Cooperative Youth and Central YMCA
952 in New Haven, provided said organizations shall be required to
953 provide a match of at least fifty per cent of the grant amount, and the
954 cash portion of such match shall be at least twenty-five per cent of the
955 grant amount.

956 Sec. 36. Subsection (b) of section 12-15 of the general statutes, as
957 amended by section 65 of public act 05-251, is repealed and the
958 following is substituted in lieu thereof (*Effective from passage*):

959 (b) The commissioner may disclose (1) returns or return information
960 to (A) an authorized representative of another state agency or office,
961 upon written request by the head of such agency or office, when
962 required in the course of duty or when there is reasonable cause to
963 believe that any state law is being violated, or (B) an authorized
964 representative of an agency or office of the United States, upon written
965 request by the head of such agency or office, when required in the
966 course of duty or when there is reasonable cause to believe that any
967 federal law is being violated, provided no such agency or office shall
968 disclose such returns or return information, other than in a judicial or
969 administrative proceeding to which such agency or office is a party
970 pertaining to the enforcement of state or federal law, as the case may
971 be, in a form which can be associated with, or otherwise identify,
972 directly or indirectly, a particular taxpayer except that the names and
973 addresses of jurors or potential jurors and the fact that the names were
974 derived from the list of taxpayers pursuant to chapter 884 may be
975 disclosed by the judicial branch; (2) returns or return information to

976 the Auditors of Public Accounts, when required in the course of duty
977 under chapter 23; (3) returns or return information to tax officers of
978 another state or of a Canadian province or of a political subdivision of
979 such other state or province or of the District of Columbia or to any
980 officer of the United States Treasury Department or the United States
981 Department of Health and Human Services, authorized for such
982 purpose in accordance with an agreement between this state and such
983 other state, province, political subdivision, the District of Columbia or
984 department, respectively, when required in the administration of taxes
985 imposed under the laws of such other state, province, political
986 subdivision, the District of Columbia or the United States, respectively,
987 and when a reciprocal arrangement exists; (4) returns or return
988 information in any action, case or proceeding in any court of
989 competent jurisdiction, when the commissioner or any other state
990 department or agency is a party, and when such information is directly
991 involved in such action, case or proceeding; (5) returns or return
992 information to a taxpayer or its authorized representative, upon
993 written request for a return filed by or return information on such
994 taxpayer; (6) returns or return information to a successor, receiver,
995 trustee, executor, administrator, assignee, guardian or guarantor of a
996 taxpayer, when such person establishes, to the satisfaction of the
997 commissioner, that such person has a material interest which will be
998 affected by information contained in such returns or return
999 information; (7) information to the assessor or an authorized
1000 representative of the chief executive officer of a Connecticut
1001 municipality, when the information disclosed is limited to (A) a list of
1002 real or personal property that is or may be subject to property taxes in
1003 such municipality, or (B) a list containing the name of each person who
1004 is issued any license, permit or certificate which is required, under the
1005 provisions of this title, to be conspicuously displayed and whose
1006 address is in such municipality; (8) real estate conveyance tax return
1007 information or controlling interest transfer tax return information to
1008 the town clerk or an authorized representative of the chief executive
1009 officer of a Connecticut municipality to which the information relates;

1010 (9) estate tax returns and estate tax return information to the Probate
1011 Court Administrator or to the court of probate for the district within
1012 which a decedent resided at the date of the decedent's death, or within
1013 which the commissioner contends that a decedent resided at the date
1014 of the decedent's death or, if a decedent died a nonresident of this
1015 state, in the court of probate for the district within which real estate or
1016 tangible personal property of the decedent is situated, or within which
1017 the commissioner contends that real estate or tangible personal
1018 property of the decedent is situated; (10) returns or return information
1019 to the Secretary of the Office of Policy and Management for purposes
1020 of subsection (b) of section 12-7a; (11) return information to the Jury
1021 Administrator, when the information disclosed is limited to the names,
1022 addresses, federal Social Security numbers and dates of birth, if
1023 available, of residents of this state, as defined in subdivision (1) of
1024 subsection (a) of section 12-701; (12) pursuant to regulations adopted
1025 by the commissioner, returns or return information to any person to
1026 the extent necessary in connection with the processing, storage,
1027 transmission or reproduction of such returns or return information,
1028 and the programming, maintenance, repair, testing or procurement of
1029 equipment, or the providing of other services, for purposes of tax
1030 administration; (13) without written request and unless the
1031 commissioner determines that disclosure would identify a confidential
1032 informant or seriously impair a civil or criminal tax investigation,
1033 returns and return information which may constitute evidence of a
1034 violation of any civil or criminal law of this state or the United States to
1035 the extent necessary to apprise the head of such agency or office
1036 charged with the responsibility of enforcing such law, in which event
1037 the head of such agency or office may disclose such return information
1038 to officers and employees of such agency or office to the extent
1039 necessary to enforce such law; (14) names and addresses of operators,
1040 as defined in section 12-407, to tourism districts, as defined in section
1041 10-397; (15) names of each licensed dealer, as defined in section 12-285,
1042 and the location of the premises covered by the dealer's license; (16) to
1043 a tobacco product manufacturer that places funds into escrow

1044 pursuant to the provisions of subsection (a) of section 4-28i, return
1045 information of a distributor licensed under the provisions of chapter
1046 214 or chapter 214a, provided the information disclosed is limited to
1047 information relating to such manufacturer's sales to consumers within
1048 this state, whether directly or through a distributor, dealer or similar
1049 intermediary or intermediaries, of cigarettes, as defined in section 4-
1050 28h, and further provided there is reasonable cause to believe that such
1051 manufacturer is not in compliance with section 4-28i; and (17) returns,
1052 which shall not include a copy of the return filed with the
1053 commissioner, or return information for purposes of section 12-217z.

1054 Sec. 37. Section 29-223a of the general statutes is repealed and the
1055 following is substituted in lieu thereof (*Effective July 1, 2005*):

1056 (a) No person shall engage in, practice or offer to perform the work
1057 of a hoisting equipment operator, except as provided in subsection (b)
1058 or (c) of this section, who is not the holder of a valid crane operator's
1059 license or hoisting equipment operator's license issued by the board.
1060 Each licensed hoisting equipment operator shall carry his or her license
1061 on his or her person when operating hoisting equipment. No person
1062 may engage in, practice or perform the work of a hoisting equipment
1063 operator apprentice unless he has obtained a certificate of registration
1064 from the board. An apprentice's certificate may be issued for the
1065 performance of work of a hoisting equipment operator for the purpose
1066 of training, which work may be performed only under the supervision
1067 of a licensed hoisting equipment operator.

1068 (b) The provisions of this section shall not apply to: (1) Any person
1069 engaged in the occupation of hoisting equipment operator in the state
1070 on October 1, 2003, provided such person shall be required to obtain a
1071 license [within] not later than one year of October 1, [2003] 2004, (2)
1072 engineers under the jurisdiction of the United States, (3) engineers or
1073 operators employed by public utilities or industrial manufacturing
1074 plants, or (4) persons engaged in boating, fishing, agriculture or
1075 arboriculture.

1076 (c) On or after October 1, 2003, but not later than October 1, [2004]
 1077 2005, the board shall issue a license for a hoisting equipment operator
 1078 to any person who provides a notarized statement from the person's
 1079 employer indicating the dates and duties of employment operating
 1080 such equipment or proof of ownership and control of a company
 1081 utilizing such equipment.

1082 Sec. 38. Section 12-815a of the general statutes is repealed and the
 1083 following is substituted in lieu thereof (*Effective from passage*):

1084 [The executive director of the Division of Special Revenue shall
 1085 require the person or business organization awarded the primary
 1086 contract by the Connecticut Lottery Corporation to provide facilities,
 1087 components, goods or services which are necessary for the operation of
 1088 the activities of said corporation to submit to state and national
 1089 criminal history records checks. No such person or business
 1090 organization may provide such facilities, components, goods or
 1091 services unless such person or business organization submits to a state
 1092 police background investigation in accordance with subsection (i) of
 1093 section 12-574 or is issued a vendor license by the executive director of
 1094 the Division of Special Revenue. The criminal history records checks
 1095 required pursuant to this section shall be conducted in accordance
 1096 with section 29-17a.]

1097 (a) The executive director of the Division of Special Revenue shall
 1098 issue vendor, affiliate and occupational licenses in accordance with the
 1099 provisions of this section.

1100 (b) No person or business organization awarded a primary contract
 1101 by the Connecticut Lottery Corporation to provide facilities,
 1102 components, goods or services that are necessary for and directly
 1103 related to the secure operation of the activities of said corporation shall
 1104 do so unless such person or business organization is issued a vendor
 1105 license by the executive director of the Division of Special Revenue.
 1106 For the purposes of this subsection, "primary contract" means a
 1107 contract to provide facilities, components, goods or services to said

1108 corporation by a person or business organization (1) that provides any
1109 lottery game or any online wagering system related facilities,
1110 components, goods or services and that receives or, in the exercise of
1111 reasonable business judgment, can be expected to receive more than
1112 seventy-five thousand dollars or twenty-five per cent of its gross
1113 annual sales from said corporation, or (2) that has access to the
1114 facilities of said corporation and provides services in such facilities
1115 without supervision by said corporation. Each applicant for a vendor
1116 license shall pay a nonrefundable application fee of two hundred
1117 dollars.

1118 (c) No person or business organization, other than a shareholder in
1119 a publicly traded corporation, may be a subcontractor for the provision
1120 of facilities, components, goods or services that are necessary for and
1121 directly related to the secure operation of the activities of the
1122 Connecticut Lottery Corporation, or may exercise control in or over a
1123 vendor licensee unless such person or business organization is licensed
1124 as an affiliate licensee by the executive director. Each applicant for an
1125 affiliate license shall pay a nonrefundable application fee of two
1126 hundred dollars.

1127 (d) (1) Each employee of a vendor or affiliate licensee who has
1128 access to the facilities of the Connecticut Lottery Corporation and
1129 provides services in such facilities without supervision by said
1130 corporation or performs duties directly related to the activities of said
1131 corporation shall obtain an occupational license.

1132 (2) Each officer, director, partner, trustee or owner of a business
1133 organization licensed as a vendor or affiliate licensee and any
1134 shareholder, executive, agent or other person connected with any
1135 vendor or affiliate licensee who, in the judgment of the executive
1136 director, will exercise control in or over any such licensee shall obtain
1137 an occupational license.

1138 (3) Each employee of the Connecticut Lottery Corporation shall
1139 obtain an occupational license.

1140 (e) The executive director shall issue occupational licenses in the
1141 following classes: (1) Class I for persons specified in subdivision (1) of
1142 subsection (d) of this section; (2) Class II for persons specified in
1143 subdivision (2) of subsection (d) of this section; (3) Class III for persons
1144 specified in subdivision (3) of subsection (d) of this section who, in the
1145 judgment of the executive director, will not exercise authority over or
1146 direct the management and policies of the Connecticut Lottery
1147 Corporation; and (4) Class IV for persons specified in subdivision (3) of
1148 subsection (d) of this section who, in the judgment of the executive
1149 director, will exercise authority over or direct the management and
1150 policies of the Connecticut Lottery Corporation. Each applicant for a
1151 Class I or III occupational license shall pay a nonrefundable
1152 application fee of ten dollars. Each applicant for a Class II or IV
1153 occupational license shall pay a nonrefundable application fee of fifty
1154 dollars. The nonrefundable application fee shall accompany the
1155 application for each such occupational license.

1156 (f) In determining whether to grant a vendor, affiliate or
1157 occupational license to any such person or business organization, the
1158 executive director may require an applicant to provide information as
1159 to such applicant's: (1) Financial standing and credit; (2) moral
1160 character; (3) criminal record, if any; (4) previous employment; (5)
1161 corporate, partnership or association affiliations; (6) ownership of
1162 personal assets; and (7) such other information as the executive
1163 director deems pertinent to the issuance of such license, provided the
1164 submission of such other information will assure the integrity of the
1165 state lottery. The executive director shall require each applicant for a
1166 vendor, affiliate or occupational license to submit to state and national
1167 criminal history records checks and may require each such applicant to
1168 submit to an international criminal history records check before such
1169 license is issued. The state and national criminal history records checks
1170 required pursuant to this subsection shall be conducted in accordance
1171 with section 29-17a. The executive director shall issue a vendor,
1172 affiliate or occupational license, as the case may be, to each applicant
1173 who satisfies the requirements of this subsection and who is deemed

1174 qualified by the executive director. The executive director may reject
1175 for good cause an application for a vendor, affiliate or occupational
1176 license.

1177 (g) Each vendor, affiliate or Class I or II occupational license shall be
1178 effective for not more than one year from the date of issuance. Each
1179 Class III or IV occupational license shall remain in effect throughout
1180 the term of employment of any such employee holding such a license.
1181 The executive director may require each employee issued a Class IV
1182 occupational license to submit information as to such employee's
1183 financial standing and credit annually. Initial application for and
1184 renewal of any such license shall be in such form and manner as the
1185 executive director shall prescribe.

1186 (h) (1) The executive director may suspend or revoke for good cause
1187 a vendor, affiliate or occupational license after a hearing held before
1188 the executive director in accordance with chapter 54. The executive
1189 director may order summary suspension of any such license in
1190 accordance with subsection (c) of section 4-182.

1191 (2) Any such applicant aggrieved by the action of the executive
1192 director concerning an application for a license, or any person or
1193 business organization whose license is suspended or revoked, may
1194 appeal to the Gaming Policy Board not later than fifteen days after
1195 such decision. Any person or business organization aggrieved by a
1196 decision of the board may appeal pursuant to section 4-183.

1197 (3) The executive director may impose a civil penalty on any
1198 licensee for a violation of any provision of this chapter or any
1199 regulation adopted under section 12-568a in an amount not to exceed
1200 two thousand five hundred dollars after a hearing held in accordance
1201 with chapter 54.

1202 (i) The executive director may require that the books and records of
1203 any vendor or affiliate licensee be maintained in any manner which the
1204 executive director may deem best, and that any financial or other

1205 statements based on such books and records be prepared in
 1206 accordance with generally accepted accounting principles in such form
 1207 as the executive director shall prescribe. The executive director or a
 1208 designee may visit, investigate and place expert accountants and such
 1209 other persons as deemed necessary in the offices or places of business
 1210 of any such licensee for the purpose of satisfying himself or herself that
 1211 such licensee is in compliance with the regulations of the division.

1212 (j) For the purposes of this section, (1) "business organization"
 1213 means a partnership, incorporated or unincorporated association, firm,
 1214 corporation, trust or other form of business or legal entity; (2) "control"
 1215 means the power to exercise authority over or direct the management
 1216 and policies of a licensee; and (3) "person" means any individual.

1217 (k) The executive director of the Division of Special Revenue may
 1218 adopt such regulations, in accordance with chapter 54, as are necessary
 1219 to implement the provisions of this section.

1220 Sec. 39. Section 12-557e of the general statutes is repealed and the
 1221 following is substituted in lieu thereof (*Effective from passage*):

1222 The Gaming Policy Board shall work in cooperation with the
 1223 Division of Special Revenue to implement and administer the
 1224 provisions of this chapter, chapters 226b and 229a and sections 7-169 to
 1225 7-186, inclusive. In carrying out its duties the board shall be
 1226 responsible for: (1) Approving, suspending or revoking licenses issued
 1227 under subsection (a) of section 12-574; (2) approving contracts for
 1228 facilities, goods, components or services necessary to carry out the
 1229 provisions of section 12-572; (3) setting racing and jai alai meeting
 1230 dates, except that the board may delegate to the executive director the
 1231 authority for setting make-up performance dates within the period of a
 1232 meeting set by the board; (4) imposing fines on licensees under
 1233 subsection (j) of section 12-574; (5) approving the types of pari-mutuel
 1234 betting to be permitted; (6) advising the executive director concerning
 1235 the conduct of off-track betting facilities; (7) assisting the executive
 1236 director in developing regulations to carry out the provisions of this

chapter, chapters 226b and 229a and sections 7-169 to 7-186, inclusive, and approving such regulations prior to their adoption; (8) hearing all appeals taken under subsection (k) of section 7-169, subsection (h) of section 7-169h, subsection (c) of section 7-181, subsection (j) of section 12-574 and section [12-802b] 12-815a, as amended by this act; and (9) advising the Governor on state-wide plans and goals for legalized gambling.

Sec. 40. Section 12-806a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section, "procedure" shall have the same meaning as "procedure", as defined in subdivision (2) of section 1-120. The Division of Special Revenue shall, for the purposes of sections 12-557e, as amended by this act, and 12-568a, subsection (d) of section 12-574 and sections 12-802a, [12-802b,] 12-815a, as amended by this act, and this section, [and section 12-815a,] regulate the activities of the Connecticut Lottery Corporation to assure the integrity of the state lottery. In addition to the requirements of the provisions of chapter 12 and notwithstanding the provisions of section 12-806, the Connecticut Lottery Corporation shall, prior to implementing any procedure designed to assure the integrity of the state lottery, obtain the written approval of the executive director of the Division of Special Revenue in accordance with regulations adopted under section 12-568a.

Sec. 41. (NEW) (*Effective July 1, 2005*) (a) For the fiscal year ending June 30, 2007, the amount of the appropriation from the Mashantucket Pequot and Mohegan Fund, for Grants to Towns, shall be increased by one-third of the amount of any increase in estimated state revenue from Indian Gaming Payments for said fiscal year over actual state revenue from Indian Gaming Payments for the fiscal year ending June 30, 2006, as set forth in the report on the budget transmitted by the Governor to the General Assembly pursuant to section 4-71 of the general statutes.

(b) One-third of the amount of such increase in such appropriation

1269 from the fund, for Grants to Towns, shall be distributed to
1270 municipalities that are members of the Southeastern Connecticut
1271 Council of Governments and to any distressed municipality that is a
1272 member of the Northeastern Connecticut Council of Governments or
1273 the Windham Area Council of Governments. Such amount shall be
1274 distributed proportionately to each such municipality based on the
1275 total amount of payments received by all such municipalities from the
1276 fund for the fiscal year ending June 30, 2006. Notwithstanding any
1277 provision of sections 3-55i and 3-55j of the general statutes, the grant
1278 payable in accordance with this subsection shall be paid prior to the
1279 payment of grants pursuant to said sections and shall not be reduced
1280 proportionately if the total of the grants payable to each municipality
1281 pursuant to said sections exceeds the amount appropriated for such
1282 grants with respect to such year.

1283 Sec. 42. (NEW) (*Effective July 1, 2005*) (a) For the fiscal year ending
1284 June 30, 2006, the municipalities of Ledyard, Montville, Norwich,
1285 North Stonington and Preston shall each receive a grant of two
1286 hundred fifty thousand dollars which shall be paid from the
1287 Mashantucket Pequot and Mohegan Fund established by section 3-55i
1288 of the general statutes and which shall be in addition to the grants paid
1289 to said municipalities pursuant to section 3-55j of the general statutes,
1290 as amended by this act. Notwithstanding any provision of said
1291 sections 3-55i and 3-55j, the grant payable in accordance with this
1292 subsection shall be paid prior to the payment of grants pursuant to
1293 said sections and shall not be reduced proportionately if the total of the
1294 grants payable to each municipality pursuant to said sections exceeds
1295 the amount appropriated for such grants with respect to such year.

1296 (b) For the fiscal year ending June 30, 2007, and each fiscal year
1297 thereafter, the municipalities of Ledyard, Montville, Norwich, North
1298 Stonington and Preston shall each receive a grant of seven hundred
1299 fifty thousand dollars which shall be paid from the Mashantucket
1300 Pequot and Mohegan Fund established by section 3-55i of the general
1301 statutes and which shall be in addition to the grants paid to said

1302 municipalities pursuant to section 3-55j of the general statutes, as
1303 amended by this act. Notwithstanding any provision of said sections 3-
1304 55i and 3-55j, the grant payable in accordance with this subsection
1305 shall be paid prior to the payment of grants pursuant to said sections
1306 and shall not be reduced proportionately if the total of the grants
1307 payable to each municipality pursuant to said sections exceeds the
1308 amount appropriated for such grants with respect to such year.

1309 Sec. 43. Subsection (i) of section 3-55j of the general statutes is
1310 repealed and the following is substituted in lieu thereof (*Effective July*
1311 *1, 2005*):

1312 (i) For the fiscal year ending June 30, 2003, [and each fiscal year
1313 thereafter] to the fiscal year ending June 30, 2006, inclusive, the
1314 municipalities of Ledyard, Montville, Norwich, North Stonington and
1315 Preston shall each receive a grant of five hundred thousand dollars
1316 which shall be paid from the Mashantucket Pequot and Mohegan
1317 Fund established by section 3-55i and which shall be in addition to the
1318 grants paid to said municipalities pursuant to subsections (a) to (g),
1319 inclusive, of this section.

1320 Sec. 44. (NEW) (*Effective October 1, 2005*) (a) There is established a
1321 Commission on Child Protection that shall consist of eleven members
1322 appointed as follows: (1) The Chief Justice of the Supreme Court shall
1323 appoint two judges of the Superior Court, or a judge of the Superior
1324 Court and a retired judge of the Superior Court; (2) the speaker of the
1325 House of Representatives, the president pro tempore of the Senate, the
1326 majority leader of the Senate and the majority leader of the House of
1327 Representatives, and the minority leader of the House of
1328 Representatives and the minority leader of the Senate shall each
1329 appoint one member; and (3) the Governor shall appoint three
1330 members, one of whom shall serve as chairperson.

1331 (b) Each member of the commission shall serve for a term of three
1332 years and until the appointment and qualification of his or her
1333 successor. No more than three of the members, other than the

1334 chairperson, may be members of the same political party. Of the four
1335 nonjudicial members, other than the chairperson, at least two shall not
1336 be members of the bar of any state.

1337 (c) If any vacancy occurs on the commission, the appointing
1338 authority having the power to make the initial appointment under the
1339 provisions of this section shall appoint a person for the unexpired term
1340 in accordance with the provisions of this section.

1341 (d) The members of the commission shall serve without
1342 compensation but shall be reimbursed for actual expenses incurred
1343 while engaged in the duties of the commission. The members of the
1344 commission shall not be employed in any other position under this
1345 section or section 45 of this act.

1346 (e) The commission may adopt such rules as it deems necessary for
1347 the conduct of its internal affairs.

1348 (f) The commission shall be responsible for carrying out the
1349 purposes of this section and section 45 of this act and shall appoint a
1350 Chief Child Protection Attorney, who shall serve at the pleasure of the
1351 commission and whose compensation shall be fixed by the
1352 commission.

1353 (g) The commission shall be within the Division of Public Defender
1354 Services for administrative purposes only.

1355 Sec. 45. (NEW) (*Effective October 1, 2005*) The Chief Child Protection
1356 Attorney appointed under section 44 of this act shall on or before July
1357 1, 2006:

1358 (1) Establish a system for the provision of: (A) Legal services to
1359 indigent respondents in family contempt and paternity matters, and
1360 (B) legal services and guardians ad litem to children and indigent
1361 parents in proceedings before the superior court for juvenile matters,
1362 as defined in subsection (a) of section 46b-121 of the general statutes,
1363 other than representation of children in delinquency matters. To carry

1364 out the requirements of this section, the Chief Child Protection
1365 Attorney may contract with (i) appropriate not-for-profit legal services
1366 agencies, and (ii) individual lawyers for the delivery of legal services
1367 to represent children and indigent parents in such proceedings;

1368 (2) Ensure that attorneys providing legal services pursuant to this
1369 section are assigned to cases in a manner that will avoid conflicts of
1370 interest, as defined by the Rules of Professional Conduct; and

1371 (3) Provide initial and in-service training for attorneys providing
1372 legal services pursuant to this section and establish training, practice
1373 and caseload standards for the representation of: (A) Indigent
1374 respondents in family contempt and paternity matters, and (B)
1375 children and indigent parents in juvenile matters, as defined in
1376 subsection (a) of section 46b-121 of the general statutes, other than
1377 representation of children in delinquency matters. Such standards
1378 shall apply to any attorney who represents children or indigent
1379 parents in such matters pursuant to this section and shall be designed
1380 to ensure a high quality of legal representation. The training for
1381 attorneys required by this subdivision shall be designed to ensure
1382 proficiency in the procedural and substantive law related to such
1383 matters and to establish a minimum level of proficiency in relevant
1384 subject areas, including, but not limited to, family violence, child
1385 development, behavioral health, educational disabilities and cultural
1386 competence.

1387 Sec. 46. (NEW) (*Effective July 1, 2006*) (a) The judicial authority
1388 before whom a juvenile or family matter described in section 45 of this
1389 act is pending shall determine eligibility for counsel for a child or
1390 youth and the parents or guardian of a child or youth if they are
1391 unable to afford counsel. Upon a finding that a party is unable to
1392 afford counsel, the judicial authority shall appoint the Chief Child
1393 Protection Attorney appointed under section 44 of this act. For
1394 purposes of determining eligibility for appointment of counsel, the
1395 judicial authority shall cause the parent or guardian of a child or youth

1396 to complete a written statement under oath or affirmation setting forth
1397 the parent or guardian's liabilities and assets, income and sources
1398 thereof, and such other information which the Commission on Child
1399 Protection shall designate and require on forms adopted by the
1400 Commission on Child Protection. Upon the appointment of counsel for
1401 a parent, guardian, child or youth, the judicial authority shall notify
1402 the Chief Child Protection Attorney, who shall assign the matter to an
1403 attorney under contract with the Commission on Child Protection to
1404 provide such representation.

1405 (b) The payment of any attorney who was appointed prior to July 1,
1406 2006, to represent a child or indigent parent in any case described in
1407 subdivision (1) of section 45 of this act, who continues to represent
1408 such child or parent after July 1, 2006, shall be processed through the
1409 Commission on Child Protection and paid at the rate that was in effect
1410 at the time of such appointment.

1411 Sec. 47. (*Effective October 1, 2005*) (a) The sum of \$234,000 for
1412 Personal Services, \$125,000 for Other Expenses, and \$30,000 for
1413 Equipment, appropriated to the Judicial Department, in section 1 of
1414 public act 05-251 for the fiscal year ending June 30, 2006, for contracted
1415 attorneys and associated administration expenses, shall be transferred
1416 to the Public Defender Services Commission for said years for
1417 contracted attorney services and associated administration expenses.

1418 (b) The sum of \$312,000 for Personal Services and \$9,200,000 for
1419 Other Expenses, appropriated to the Judicial Department, in section 11
1420 of public act 05-251 for the fiscal year ending June 30, 2007, for
1421 contracted attorneys and associated administration expenses, shall be
1422 transferred to the Public Defender Services Commission for said years
1423 for contracted attorney services and associated administration
1424 expenses.

1425 Sec. 48. Section 20-334d of the general statutes is amended by
1426 adding subsection (d) as follows (*Effective from passage*):

1427 (NEW) (d) Any plumber who has served an apprenticeship that
1428 included at least seven hundred hours of related classroom instruction
1429 shall be exempt from any continuing education requirement
1430 established pursuant to subsection (c) of this section.

1431 Sec. 49. Section 29-6b of the general statutes is repealed and the
1432 following is substituted in lieu thereof (*Effective July 1, 2005*):

1433 [Each] Not later than January 1, 2007, each vehicle purchased for use
1434 primarily as a patrol car by a state police officer [on or after January 1,
1435 2006,] shall be equipped with a manufacturer-installed fire suppression
1436 system. For purposes of this section, "fire suppression system" means a
1437 system that is integrated into the structure and electrical architecture of
1438 a vehicle and (1) uses sensors to measure post-impact vehicle
1439 movement to determine the optimal time to deploy chemicals
1440 designed to suppress the spread of fire or extinguish a fire resulting
1441 from a high-speed rear-end collision, and (2) may be activated both
1442 manually and automatically.

1443 Sec. 50. (*Effective from passage*) Section 66 of public act 05-251 shall
1444 take effect from passage and be applicable to estates of decedents
1445 dying on or after January 1, 2005.

1446 Sec. 51. Section 12-359 of the general statutes is amended by adding
1447 subsection (e) as follows (*Effective from passage and applicable to estates of*
1448 *decedents dying on or after January 1, 2005*):

1449 (NEW) (e) The provisions of this section shall not apply to estates of
1450 decedents dying on or after January 1, 2005.

1451 Sec. 52. Section 12-364 of the general statutes is repealed and the
1452 following is substituted in lieu thereof (*Effective from passage*):

1453 Any person shall, if the Commissioner of Revenue Services finds,
1454 upon evidence satisfactory to him, that a joint tenant of real property
1455 situated in this state has died and that the payment of any succession
1456 tax with respect to the interest of such deceased joint tenant in such

1457 real property is adequately assured, or that no succession tax will
1458 become due therefrom, be entitled to a certificate of release of lien
1459 reciting that the Commissioner of Revenue Services has released such
1460 real property from the operation of any lien for succession taxes with
1461 respect to the interest of such deceased joint tenant in such real
1462 property which shall be conclusive proof that such real property has
1463 been released from the operation of such lien. Such certificate of
1464 release of lien may be recorded in the office of the town clerk of the
1465 town in which such real property is situated. A finding by the
1466 commissioner that the payment of such tax is adequately assured shall
1467 be based upon the receipt by the commissioner of a bond or other
1468 security for an amount and with surety satisfactory to him,
1469 conditioned upon the full payment of all succession taxes with respect
1470 to the gross taxable estate of such deceased joint tenant or upon the
1471 payment to the commissioner of an amount satisfactory to him on
1472 account of such tax or upon the finding by the commissioner that an
1473 executor or administrator of the estate of such deceased joint tenant
1474 has been duly appointed in this state and that the official bond of such
1475 administrator or executor, or, if such administrator or executor is a
1476 corporation, its financial responsibility, furnishes adequate protection
1477 for the payment of all succession taxes. The commissioner may adopt
1478 regulations, in accordance with the provisions of chapter 54, that
1479 prescribe the circumstances under which a judge of the probate court
1480 having jurisdiction of such estate is permitted to issue a certificate of
1481 release of lien, based on a finding by said judge that payment of any
1482 succession tax with respect to the interest of a deceased joint tenant in
1483 real property is adequately assured or that no succession tax will
1484 become due from such property. The provisions of this section shall
1485 not apply to estates of decedents dying on or after January 1, 2005.

1486 Sec. 53. Section 12-366 of the general statutes is repealed and the
1487 following is substituted in lieu thereof (*Effective from passage*):

1488 The tax herein imposed shall be a lien in favor of the state of
1489 Connecticut upon the real property so passing from the due date until

1490 paid, with the interest and costs that may accrue in addition thereto;
1491 provided such lien shall not be valid as against any lienor, mortgagee,
1492 judgment creditor or bona fide purchaser provided they have no
1493 notice, unless and until notice of such lien is filed or recorded in the
1494 town clerk's office or place where mortgages, liens and conveyances of
1495 such property are required by statute to be filed or recorded. The lien
1496 upon any real property transferred, or a portion thereof, may be
1497 discharged by the payment of such amount as tax thereon as the
1498 Commissioner of Revenue Services may specify or by the giving to the
1499 commissioner of a bond for such amount; or the commissioner, upon
1500 application by the fiduciary, may make an order transferring such lien
1501 to other real property of the estate or of the transferee, which order of
1502 transfer shall be recorded as above. Any person shall be entitled to a
1503 certificate that the tax upon the transfer of any real property has been
1504 paid, and such certificate may be recorded in the office of the town
1505 clerk of the town within which such real property is situated, and it
1506 shall be conclusive proof that the tax on the transfer of such real
1507 property has been paid and such lien discharged. The commissioner
1508 may adopt regulations in accordance with the provisions of chapter 54
1509 that prescribe the circumstances under which a judge of the probate
1510 court having jurisdiction of an estate is permitted to discharge a lien by
1511 the payment of such amount as tax on such real property as the judge
1512 may specify. The provisions of this section shall not apply to estates of
1513 decedents dying on or after January 1, 2005.

1514 Sec. 54. Subsections (a) and (b) of section 12-391 of the general
1515 statutes, as amended by section 69 of public act 05-251, are repealed
1516 and the following is substituted in lieu thereof (*Effective from passage*):

1517 (a) With respect to estates of decedents who die prior to January 1,
1518 2005, and except as otherwise provided in section 59 of public act 03-1
1519 of the June 30 special session, a tax is imposed upon the transfer of the
1520 estate of each person who at the time of death was a resident of this
1521 state. The amount of the tax shall be the amount of the federal credit
1522 allowable for estate, inheritance, legacy and succession taxes paid to

1523 any state or the District of Columbia under the provisions of the
1524 federal internal revenue code in force at the date of such decedent's
1525 death in respect to any property owned by such decedent or subject to
1526 such taxes as part of or in connection with the estate of such decedent.
1527 If real or tangible personal property of such decedent is located outside
1528 of this state and is subject to estate, inheritance, legacy, or succession
1529 taxes by any state or states, other than the state of Connecticut, or by
1530 the District of Columbia for which such federal credit is allowable, the
1531 amount of tax due under this section shall be reduced by the lesser of:
1532 (1) The amount of any such taxes paid to such other state or states or
1533 said district and allowed as a credit against the federal estate tax; or (2)
1534 an amount computed by multiplying such federal credit by a fraction,
1535 (A) the numerator of which is the value of that part of the decedent's
1536 gross estate over which such other state or states or said district have
1537 jurisdiction for estate tax purposes to the same extent to which this
1538 state would assert jurisdiction for estate tax purposes under this
1539 chapter with respect to the residents of such other state or states or
1540 said district, and (B) the denominator of which is the value of the
1541 decedent's gross estate. Property of a resident estate over which this
1542 state has jurisdiction for estate tax purposes includes real property
1543 situated in this state, tangible personal property having an actual situs
1544 in this state, and intangible personal property owned by the decedent,
1545 regardless of where it is located. The amount of any estate tax imposed
1546 under this subsection shall also be reduced, but not below zero, by the
1547 amount of any tax that is imposed under chapter 216 and that is
1548 actually paid to this state.

1549 (b) With respect to the estates of decedents who die prior to January
1550 1, 2005, and except as otherwise provided in section 59 of public act 03-
1551 1 of the June 30 special session, a tax is imposed upon the transfer of
1552 the estate of each person who at the time of death was a nonresident of
1553 this state, the amount of which shall be computed by multiplying (1)
1554 the federal credit allowable for estate, inheritance, legacy, and
1555 succession taxes paid to any state or states or the District of Columbia
1556 under the provisions of the federal internal revenue code in force at the

1557 date of such decedent's death in respect to any property owned by
1558 such decedent or subject to such taxes as a part of or in connection
1559 with the estate of such decedent by (2) a fraction, (A) the numerator of
1560 which is the value of that part of the decedent's gross estate over which
1561 this state has jurisdiction for estate tax purposes and (B) the
1562 denominator of which is the value of the decedent's gross estate.
1563 Property of a nonresident estate over which this state has jurisdiction
1564 for estate tax purposes includes real property situated in this state and
1565 tangible personal property having an actual situs in this state. The
1566 amount of any estate tax imposed under this subsection shall also be
1567 reduced, but not below zero, by the amount of any tax that is imposed
1568 under chapter 216 and that is actually paid to this state.

1569 Sec. 55. Subdivision (3) of subsection (b) of section 12-392 of the
1570 general statutes, as amended by section 70 of public act 05-251, is
1571 repealed and the following is substituted in lieu thereof (*Effective from*
1572 *passage*):

1573 (3) (A) A tax return shall be filed, in the case of every decedent who
1574 died prior to January 1, 2005, and at the time of death was (i) a resident
1575 of this state, or (ii) a nonresident of this state whose gross estate
1576 includes any real property situated in this state or tangible personal
1577 property having an actual situs in this state, whenever the personal
1578 representative of the estate is required by the laws of the United States
1579 to file a federal estate tax return.

1580 (B) A tax return shall be filed, in the case of every decedent who dies
1581 on or after January 1, 2005, and at the time of death was (i) a resident
1582 of this state, or (ii) a nonresident of this state whose gross estate
1583 includes any real property situated in this state or tangible personal
1584 property having an actual situs in this state. If the decedent's
1585 Connecticut taxable estate is over two million dollars, such tax return
1586 shall be filed with the Commissioner of Revenue Services and a copy
1587 of such return shall be filed with the court of probate for the district
1588 within which the decedent resided at the date of his or her death or, if

1589 the decedent died a nonresident of this state, the court of probate for
1590 the district within which such real property or tangible personal
1591 property is situated. If the decedent's Connecticut taxable estate is two
1592 million dollars or less, such return shall be filed with the court of
1593 probate for the district within which the decedent resided at the date
1594 of his or her death or, if the decedent died a nonresident of this state,
1595 the court of probate for the district within which such real property or
1596 tangible personal property is situated, and no such return shall be filed
1597 with the Commissioner of Revenue Services. The judge of probate for
1598 the district in which such return is filed shall review each such return
1599 and shall issue a written opinion to the estate representative in each
1600 case in which the judge determines that the estate is not subject to tax
1601 under this chapter.

1602 (C) The duly authorized executor or administrator shall file the
1603 return. If there is more than one executor or administrator, the return
1604 shall be made jointly by all. If there is no executor or administrator
1605 appointed, qualified and acting, each person in actual or constructive
1606 possession of any property of the decedent is constituted an executor
1607 for purposes of the tax and shall make and file a return. If in any case
1608 the executor is unable to make a complete return as to any part of the
1609 gross estate, the executor shall provide all the information available to
1610 him with respect to such property, including a full description, and the
1611 name of every person holding a legal or beneficial interest in the
1612 property. If the executor is unable to make a return as to any property,
1613 each person holding a legal or equitable interest in such property shall,
1614 upon notice from the commissioner, make a return as to that part of
1615 the gross estate.

1616 (D) On or before the last day of the month next succeeding each
1617 calendar quarter, and commencing with the calendar quarter ending
1618 September 30, 2005, each court of probate shall file with the
1619 commissioner a report for the calendar quarter in such form as the
1620 commissioner may prescribe. The report shall pertain to returns filed
1621 with the court of probate during the calendar quarter.

1622 Sec. 56. Subdivision (1) of subsection (b) of section 45a-107 of the
1623 general statutes is repealed and the following is substituted in lieu
1624 thereof (*Effective from passag, and applicable to estates of decedents dying on*
1625 *or after January 1, 2005*):

1626 (1) The basis for costs shall be (A) the gross estate for succession tax
1627 purposes, as provided in section 12-349, the inventory, including all
1628 supplements thereto, or the [gross estate] Connecticut taxable estate, as
1629 defined in section 12-391, as amended by section 69 of public act 05-
1630 251, for estate tax purposes, as provided in chapters 217 and 218,
1631 whichever is greater, plus (B) all damages recovered for injuries
1632 resulting in death minus any hospital and medical expenses for
1633 treatment of such injuries resulting in death minus any hospital and
1634 medical expenses for treatment of such injuries that are not
1635 reimbursable by medical insurance and minus the attorney's fees and
1636 other costs and expenses of recovering such damages. Any portion of
1637 the basis for costs that is determined by property passing to the
1638 surviving spouse shall be reduced by fifty per cent. Except as provided
1639 in subdivision (3) of this subsection, in no case shall the minimum cost
1640 be less than twenty-five dollars.

1641 Sec. 57. Subsection (e) of section 12-398 of the general statutes is
1642 repealed and the following is substituted in lieu thereof (*Effective from*
1643 *passage*):

1644 (e) Any person shall be entitled to a certificate of release of lien with
1645 respect to the interest of the decedent in such real property, if either
1646 the court of probate for the district within which the decedent resided
1647 at the date of his death or, if the decedent died a nonresident of this
1648 state, for the district within which real estate or tangible personal
1649 property of the decedent is situated, or the Commissioner of Revenue
1650 Services finds, upon evidence satisfactory to said court or said
1651 commissioner, as the case may be, that payment of the tax imposed
1652 under this chapter with respect to the interest of the decedent in such
1653 real property is adequately assured, or that no tax imposed under this

chapter is due. If the decedent's Connecticut taxable estate is two million dollars or less, the certificate of release of lien shall be issued by the court of probate. Such certificate may be recorded in the office of the town clerk of the town within which such real property is situated, and it shall be conclusive proof that such real property has been released from the operation of such lien. The commissioner may adopt regulations in accordance with the provisions of chapter 54 that establish procedures to be followed by a court of probate or by said commissioner, as the case may be, for issuing certificates of release of lien, and that establish the requirements and conditions that must be satisfied in order for a court of probate or for the commissioner, as the case may be, to find that the payment of such tax is adequately assured or that no tax imposed under this chapter is due.

Sec. 58. (NEW) *(Effective from passage and applicable to taxable years commencing, gifts made, and estates of decedents dying on or after January 1, 2006)* The provisions of chapters 217, 228c and 229 of the general statutes shall apply to parties to a civil union recognized under the laws of this state as if federal income tax law and federal estate and gift tax law recognized such a civil union in the same manner as Connecticut law.

Sec. 59. Section 88 of public act 05-251 is repealed and the following is substituted in lieu thereof *(Effective September 1, 2005)*:

(a) [Every domestic] Notwithstanding any provision of the general statutes, each insurer [or insurance company] authorized to issue policies of liability [or workers' compensation] insurance in the state shall, upon the filing of any [personal injury or workers' compensation] claim for damages because of bodily injury or death for a resident of this state, provide notice of such claim to the Commissioner of Administrative Services for the purposes of identifying potential liabilities to the [State of Connecticut. No such insurer or insurance company shall be required to provide such notice to any other state agency] state that the commissioner is authorized to

1686 collect pursuant to the general statutes. The content of such notice and
 1687 the manner of its transmission shall be determined by the department
 1688 in consultation with the insurers, except that insurers may provide
 1689 such required notification directly to the commissioner or through a
 1690 central reporting organization to which the insurer subscribes.

1691 (b) The state shall maintain, as confidential, any information
 1692 obtained, collected, prepared or received pursuant to this section. The
 1693 state shall not store or maintain any information provided [in such
 1694 notice] pursuant to this section unless the state identifies the claimant
 1695 as having a potential liability to the [State of Connecticut] state. [No
 1696 domestic insurer or insurance company shall issue payment on any
 1697 claim until twenty-five days after the notice required under this section
 1698 has been provided.]

1699 (c) The commissioner shall reimburse insurers or central reporting
 1700 organizations, as applicable, for the reasonable documented costs, as
 1701 determined by the commissioner, incurred for compliance with this
 1702 section.

1703 [(b)] (d) [Any] Each insurer, [or insurance company,] its directors,
 1704 agents, and employees and each central reporting [organizations and
 1705 their respective] organization, its agents and employees, authorized by
 1706 an insurer to act on its behalf, [who release information or withhold
 1707 payments in accordance with the provisions of this section shall be
 1708 immune from any liability] that provide or attempt to provide data
 1709 pursuant to the provisions of this section shall be immune from any
 1710 liability under any law to any person or entity for any alleged or actual
 1711 damages that occur as a result of providing or attempting to provide
 1712 data pursuant to this section, provided said damages are not caused by
 1713 intentional, wilful or wanton misconduct. Compliance with the
 1714 requirements of this section shall not subject any insurer, its directors,
 1715 agents, employees and insureds, or any central reporting organization,
 1716 its agents and employees, authorized by an insurer to act on its behalf,
 1717 to any claims brought pursuant to sections 38a-816, 38a-975 to 38a-

1718 999a, inclusive, or section 42-110b, or any penalty pursuant to section
1719 38a-15.

1720 (e) Information provided by or obtained from an insurer or the
1721 central reporting organization pursuant to this section shall not be
1722 subject to disclosure under section 1-210.

1723 Sec. 60. Section 18-81r of the general statutes is repealed and the
1724 following is substituted in lieu thereof (*Effective July 1, 2005*):

1725 (a) For the purposes of this section, "ombudsman services" includes
1726 (1) the receipt of complaints by the ombudsman from inmates in the
1727 custody of the Department of Correction including inmates housed in
1728 other states, regarding decisions, actions and omissions, policies,
1729 procedures, rules and regulations of the department, (2) investigating
1730 such complaints, rendering a decision on the merits of each complaint
1731 and communicating the decision to the complainant, (3)
1732 recommending to the Commissioner of Correction a resolution of any
1733 complaint found to have merit, (4) recommending policy revisions to
1734 the department, and (5) publishing a quarterly report of all
1735 ombudsman services activities.

1736 (b) The [Commissioner of Correction] Department of
1737 Administrative Services shall contract for the provision of ombudsman
1738 services and shall annually report the name of the person or persons
1739 with whom [the department] he or she has so contracted to the joint
1740 standing committee of the General Assembly having cognizance of
1741 matters relating to the Department of Correction in accordance with
1742 the provisions of section 11-4a.

1743 (c) Prior to any person in the custody of the Commissioner of
1744 Correction obtaining ombudsman services, such person shall have
1745 reasonably pursued a resolution of the complaint through any existing
1746 internal grievance or appellate procedures of the Department of
1747 Correction.

1748 (d) All oral and written communications, and records relating
1749 thereto, between an inmate and the ombudsman or a member of the
1750 ombudsman's staff, including, but not limited to, the identity of a
1751 complainant, the details of a complaint and the investigative findings
1752 and conclusions of the ombudsman shall be confidential and shall not
1753 be disclosed without the consent of the inmate, except that the
1754 ombudsman may disclose without the consent of the inmate (1) such
1755 communications or records as may be necessary in order for the
1756 ombudsman to conduct an investigation and support any
1757 recommendations the ombudsman may make, or (2) the formal
1758 disposition of an inmate's complaint when requested in writing by a
1759 court hearing such inmate's application for a writ of habeas corpus that
1760 was filed subsequent to an adverse finding by the ombudsman on such
1761 inmate's complaint.

1762 (e) Notwithstanding the provisions of subsection (d) of this section,
1763 whenever in the course of providing ombudsman services, the
1764 ombudsman or a member of the ombudsman's staff becomes aware of
1765 the commission or planned commission of a criminal act or a threat to
1766 the health and safety of any individual or the security of a correctional
1767 facility, the ombudsman shall notify the Commissioner of Correction
1768 or a facility administrator of such act or threat and the nature and
1769 target thereof.

1770 (f) If the commissioner has a reasonable belief that an inmate has
1771 made or provided to the ombudsman an oral or written
1772 communication concerning a safety or security threat within the
1773 Department of Correction or directed against an employee of the
1774 department, the ombudsman shall provide to the commissioner all oral
1775 or written communications relevant to such threat.

1776 Sec. 61. (*Effective July 1, 2005*) (a) The sum of \$150,000 appropriated
1777 to the Office of Criminal Justice Policy and Planning, from the General
1778 Fund, for the fiscal year ending June 30, 2007, for Personal Services,
1779 shall be transferred to the Office of Policy and Management, for said

1780 fiscal year, for Personal Services.

1781 (b) The sum of \$32,000 appropriated to the Office of Criminal Justice
1782 Policy and Planning, from the General Fund, for the fiscal year ending
1783 June 30, 2007, for Other Expenses, shall be transferred to the Office of
1784 Policy and Management, for said fiscal year, for Other Expenses.

1785 (c) The sum of \$18,000 appropriated to the Office of Criminal Justice
1786 Policy and Planning, from the General Fund, for the fiscal year ending
1787 June 30, 2007, for Equipment, shall be transferred to the Office of
1788 Policy and Management, for said fiscal year, for Equipment.

1789 Sec. 62. (*Effective July 1, 2005*) (a) The sum of \$60,000 appropriated to
1790 the Military Department, for the fiscal year ending June 30, 2006, for
1791 Military Assistance, and the sum of \$60,000 appropriated to the
1792 Military Department, for the fiscal year ending June 30, 2007, for
1793 Military Assistance, shall be transferred to the Department of Veterans'
1794 Affairs, for Personal Services, for said fiscal years, for the veterans'
1795 contact list and registry.

1796 (b) The sum of \$278,886 appropriated to the Department of
1797 Correction, for the fiscal year ending June 30, 2006, for correctional
1798 ombudsman services, and the sum of \$286,137 appropriated to the
1799 Department of Correction, for the fiscal year ending June 30, 2007, for
1800 correctional ombudsman services, shall be transferred to the
1801 Department of Administrative Services, for Other Expenses, for said
1802 fiscal years, for correctional ombudsman services.

1803 Sec. 63. (NEW) (*Effective July 1, 2005*) Any costs associated with
1804 administering the provisions of public act 05-228, including fringe
1805 benefit costs, shall be paid from the account established by section 6 of
1806 public act 05-228.

1807 Sec. 64. Subdivision (2) of subsection (a) of section 10a-77a of the
1808 general statutes is repealed and the following is substituted in lieu
1809 thereof (*Effective July 1, 2005*):

1810 (2) (A) For each of the fiscal years ending June 30, 2000, to June 30,
1811 [2014] 2006, inclusive, as part of the state contract with donors of
1812 endowment fund eligible gifts, the Department of Higher Education, in
1813 accordance with section 10a-8b, shall deposit in the Endowment Fund
1814 for the Community-Technical College System a grant in an amount
1815 equal to half of the total amount of endowment fund eligible gifts
1816 received by or for the benefit of the community-technical college
1817 system as a whole and each regional community-technical college for
1818 the calendar year ending the December thirty-first preceding the
1819 commencement of such fiscal year, as certified by the chairperson of
1820 the board of trustees by February fifteenth to [(A)] (i) the Secretary of
1821 the Office of Policy and Management, [(B)] (ii) the joint standing
1822 committee of the General Assembly having cognizance of matters
1823 relating to appropriations and the budgets of state agencies, and [(C)]
1824 (iii) the Commissioner of Higher Education, provided such sums do
1825 not exceed the endowment fund state grant maximum commitment for
1826 the fiscal year in which the grant is made.

1827 (B) For each of the fiscal years ending June 30, 2007, to June 30, 2014,
1828 inclusive, as part of the state contract with donors of endowment fund
1829 eligible gifts, the Department of Higher Education, in accordance with
1830 section 10a-8b, shall deposit in the Endowment Fund for the
1831 Community-Technical College System a grant in an amount equal to
1832 one-quarter of the total amount of endowment fund eligible gifts
1833 received by or for the benefit of the community-technical college
1834 system as a whole and each regional community-technical college for
1835 the calendar year ending the December thirty-first preceding the
1836 commencement of such fiscal year, as certified by the chairperson of
1837 the board of trustees by February fifteenth to (i) the Secretary of the
1838 Office of Policy and Management, (ii) the joint standing committee of
1839 the General Assembly having cognizance of matters relating to
1840 appropriations and the budgets of state agencies, and (iii) the
1841 Commissioner of Higher Education, provided such sums do not
1842 exceed the endowment fund state grant maximum commitment for the
1843 fiscal year in which the grant is made. Commitments by donors to

1844 make endowment fund eligible gifts for two or more years that meet
 1845 the criteria set forth in this subdivision and that are made for the
 1846 period prior to December 31, 2004, but ending before December 31,
 1847 2012, shall continue to be matched by the Department of Higher
 1848 Education in an amount equal to one-half of the total amount of
 1849 endowment fund eligible gifts received through the commitment.

1850 (C) In any such fiscal year in which the total of the eligible gifts
 1851 received by the community-technical colleges exceeds the endowment
 1852 fund state grant maximum commitment for such fiscal year the
 1853 amount in excess of such endowment fund state grant maximum
 1854 commitment shall be carried forward and be eligible for a matching
 1855 state grant in any succeeding fiscal year from the fiscal year ending
 1856 June 30, 2000, to the fiscal year ending June 30, 2014, inclusive, subject
 1857 to the endowment fund state grant maximum commitment. Any
 1858 endowment fund eligible gifts that are not included in the total
 1859 amount of endowment fund eligible gifts certified by the chairperson
 1860 of the board of trustees pursuant to this subdivision may be carried
 1861 forward and be eligible for a matching state grant in any succeeding
 1862 fiscal year from the fiscal year ending June 30, 2000, to the fiscal year
 1863 ending June 30, 2014, inclusive, subject to the endowment fund state
 1864 matching grant commitment for such fiscal year.

1865 Sec. 65. Subdivision (2) of subsection (b) of section 10a-109i of the
 1866 general statutes is repealed and the following is substituted in lieu
 1867 thereof (*Effective July 1, 2005*):

1868 (2) (A) For each of the fiscal years ending June 30, 1999, to June 30,
 1869 [2014] 2006, inclusive, as part of the state contract with donors of
 1870 endowment fund eligible gifts, the Department of Higher Education, in
 1871 accordance with section 10a-8b shall deposit in the endowment fund
 1872 for the university a grant in an amount equal to half of the total
 1873 amount of endowment fund eligible gifts, except as provided in this
 1874 subparagraph, received by the university or for the benefit of the
 1875 university for the calendar year ending the December thirty-first

1876 preceding the commencement of such fiscal year, as certified by the
1877 chairperson of the board of trustees by February fifteenth to (i) the
1878 Secretary of the Office of Policy and Management, (ii) the joint
1879 standing committee of the General Assembly having cognizance of
1880 matters relating to appropriations and the budgets of state agencies,
1881 and (iii) the Commissioner of Higher Education, provided such sums
1882 do not exceed the endowment fund state grant maximum commitment
1883 for the fiscal year in which the grant is made. For the fiscal years
1884 ending June 30, 1999, and June 30, 2000, the Department of Higher
1885 Education shall deposit in the endowment fund for the university
1886 grants in total amounts which shall not exceed the endowment fund
1887 state grant, as defined in subdivision (7) of section 10a-109c of the
1888 general statutes, revision of 1958, revised to January 1, 1997, and which
1889 shall be equal to the amounts certified by the chairperson of the board
1890 of trustees for each such fiscal year of endowment fund eligible gifts
1891 received by the university or for the benefit of the university and for
1892 which written commitments were made prior to July 1, 1997. For the
1893 fiscal year ending June 30, 1999, the funds required to be deposited in
1894 the endowment fund pursuant to this subparagraph shall be
1895 appropriated to the university for such purpose and not appropriated
1896 to the fund established pursuant to section 10a-8b.

1897 (B) For each of the fiscal years ending June 30, 2007, to June 30, 2014,
1898 inclusive, as part of the state contract with donors of endowment fund
1899 eligible gifts, the Department of Higher Education, in accordance with
1900 section 10a-8b shall deposit in the endowment fund for the university a
1901 grant in an amount equal to one-quarter of the total amount of
1902 endowment fund eligible gifts, except as provided in this subdivision,
1903 received by the university or for the benefit of the university for the
1904 calendar year ending the December thirty-first preceding the
1905 commencement of such fiscal year, as certified by the chairperson of
1906 the board of trustees by February fifteenth to (i) the Secretary of the
1907 Office of Policy and Management, (ii) the joint standing committee of
1908 the General Assembly having cognizance of matters relating to
1909 appropriations and the budgets of state agencies, and (iii) the

1910 Commissioner of Higher Education, provided such sums do not
 1911 exceed the endowment fund state grant maximum commitment for the
 1912 fiscal year in which the grant is made. Commitments by donors to
 1913 make endowment fund eligible gifts for two or more years that meet
 1914 the criteria set forth in this subdivision and that are made for the
 1915 period prior to December 31, 2004, but ending before December 31,
 1916 2012, shall continue to be matched by the Department of Higher
 1917 Education in an amount equal to one-half of the total amount of
 1918 endowment fund eligible gifts received through the commitment.

1919 (C) In any such fiscal year in which the eligible gifts received by the
 1920 university exceed the endowment fund state grant maximum
 1921 commitment for such fiscal year the amount in excess of such
 1922 endowment fund state grant maximum commitment for such fiscal
 1923 year, shall be carried forward and be eligible for a matching state grant
 1924 in any succeeding fiscal year from the fiscal year ending June 30, 1999,
 1925 to the fiscal year ending June 30, 2014, inclusive, subject to the
 1926 endowment fund state grant maximum commitment for such fiscal
 1927 year. Any endowment fund eligible gifts that are not included in the
 1928 total amount of endowment fund eligible gifts certified by the
 1929 chairperson of the board of trustees pursuant to this subparagraph
 1930 may be carried forward and be eligible for a matching state grant in
 1931 any succeeding fiscal year from the fiscal year ending June 30, 2000, to
 1932 the fiscal year ending June 30, 2014, inclusive, subject to the
 1933 endowment fund state matching grant maximum commitment for
 1934 such fiscal year.

1935 Sec. 66. Subdivision (2) of subsection (a) of section 10a-143a of the
 1936 general statutes is repealed and the following is substituted in lieu
 1937 thereof (*Effective July 1, 2005*):

1938 (2) (A) For each of the fiscal years ending June 30, 2000, to June 30,
 1939 [2014] 2006, inclusive, as part of the state contract with donors of
 1940 endowment fund eligible gifts, the Department of Higher Education, in
 1941 accordance with section 10a-8b, shall deposit in the Endowment Fund

1942 for Charter Oak State College a grant in an amount equal to half of the
 1943 total amount of endowment fund eligible gifts received by or for the
 1944 benefit of Charter Oak State College for the calendar year ending the
 1945 December thirty-first preceding the commencement of such fiscal year,
 1946 as certified by the chairperson of the Board for State Academic Awards
 1947 by February fifteenth to [(A)] (i) the Secretary of the Office of Policy
 1948 and Management, [(B)] (ii) the joint standing committee of the General
 1949 Assembly having cognizance of matters relating to appropriations and
 1950 the budgets of state agencies, and [(C)] (iii) the Commissioner of
 1951 Higher Education, provided such sums do not exceed the endowment
 1952 fund state grant maximum commitment for the fiscal year in which the
 1953 grant is made.

1954 (B) For each of the fiscal years ending June 30, 2007, to June 30, 2014,
 1955 inclusive, as part of the state contract with donors of endowment fund
 1956 eligible gifts, the Department of Higher Education, in accordance with
 1957 section 10a-8b, shall deposit in the Endowment Fund for Charter Oak
 1958 State College a grant in an amount equal to one-quarter of the total
 1959 amount of endowment fund eligible gifts received by or for the benefit
 1960 of Charter Oak State College for the calendar year ending the
 1961 December thirty-first preceding the commencement of such fiscal year,
 1962 as certified by the chairperson of the Board for State Academic Awards
 1963 by February fifteenth to (i) the Secretary of the Office of Policy and
 1964 Management, (ii) the joint standing committee of the General
 1965 Assembly having cognizance of matters relating to appropriations and
 1966 the budgets of state agencies, and (iii) the Commissioner of Higher
 1967 Education, provided such sums do not exceed the endowment fund
 1968 state grant maximum commitment for the fiscal year in which the
 1969 grant is made. Commitments by donors to make endowment fund
 1970 eligible gifts for two or more years that meet the criteria set forth in
 1971 this subdivision and that are made for the period prior to December 31,
 1972 2004, but ending before December 31, 2012, shall continue to be
 1973 matched by the Department of Higher Education in an amount equal
 1974 to one-half of the total amount of endowment fund eligible gifts
 1975 received through the commitment.

1976 (C) In any such fiscal year in which the total of the eligible gifts
 1977 received by Charter Oak State College exceeds the endowment fund
 1978 state grant maximum commitment for such fiscal year the amount in
 1979 excess of such endowment fund state grant maximum commitment
 1980 shall be carried forward and be eligible for a matching state grant in
 1981 any succeeding fiscal year from the fiscal year ending June 30, 2000, to
 1982 the fiscal year ending June 30, 2014, inclusive, subject to the
 1983 endowment fund state grant maximum commitment. Any endowment
 1984 fund eligible gifts that are not included in the total amount of
 1985 endowment fund eligible gifts certified by the chairperson of the Board
 1986 for State Academic Awards pursuant to this subdivision may be
 1987 carried forward and be eligible for a matching state grant in any
 1988 succeeding fiscal year from the fiscal year ending June 30, 2000, to the
 1989 fiscal year ending June 30, 2014, inclusive, subject to the endowment
 1990 fund state matching grant maximum commitment for such fiscal year.

1991 Sec. 67. Subdivision (2) of subsection (a) of section 10a-99a of the
 1992 general statutes is repealed and the following is substituted in lieu
 1993 thereof (*Effective July 1, 2005*):

1994 (2) (A) For each of the fiscal years ending June 30, 2000, to June 30,
 1995 [2014] 2006, inclusive, as part of the state contract with donors of
 1996 endowment fund eligible gifts, the Department of Higher Education, in
 1997 accordance with section 10a-8b, shall deposit in the Endowment Fund
 1998 for the Connecticut State University System a grant in an amount equal
 1999 to half of the total amount of endowment fund eligible gifts received
 2000 by or for the benefit of the Connecticut State University system as a
 2001 whole and each state university for the calendar year ending the
 2002 December thirty-first preceding the commencement of such fiscal year,
 2003 as certified by the chairperson of the board of trustees by February
 2004 fifteenth to [(A)] (i) the Secretary of the Office of Policy and
 2005 Management, [(B)] (ii) the joint standing committee of the General
 2006 Assembly having cognizance of matters relating to appropriations and
 2007 the budgets of state agencies, and [(C)] (iii) the Commissioner of
 2008 Higher Education, provided such sums do not exceed the endowment

2009 fund state grant maximum commitment for the fiscal year in which the
2010 grant is made.

2011 (B) For each of the fiscal years ending June 30, 2007, to June 30, 2014,
2012 inclusive, as part of the state contract with donors of endowment fund
2013 eligible gifts, the Department of Higher Education, in accordance with
2014 section 10a-8b, shall deposit in the Endowment Fund for the
2015 Connecticut State University System a grant in an amount equal to
2016 one-quarter of the total amount of endowment fund eligible gifts
2017 received by or for the benefit of the Connecticut State University
2018 system as a whole and each state university for the calendar year
2019 ending the December thirty-first preceding the commencement of such
2020 fiscal year, as certified by the chairperson of the board of trustees by
2021 February fifteenth to (i) the Secretary of the Office of Policy and
2022 Management, (ii) the joint standing committee of the General
2023 Assembly having cognizance of matters relating to appropriations and
2024 the budgets of state agencies, and (iii) the Commissioner of Higher
2025 Education, provided such sums do not exceed the endowment fund
2026 state grant maximum commitment for the fiscal year in which the
2027 grant is made. Commitments by donors to make endowment fund
2028 eligible gifts for two or more years that meet the criteria set forth in
2029 this subdivision and that are made for the period prior to December 31,
2030 2004, but ending before December 31, 2012, shall continue to be
2031 matched by the Department of Higher Education in an amount equal
2032 to one-half of the total amount of endowment fund eligible gifts
2033 received through the commitment.

2034 (C) In any such fiscal year in which the total of the eligible gifts
2035 received by the Connecticut State University system as a whole and
2036 each state university exceed the endowment fund state grant
2037 maximum commitment for such fiscal year the amount in excess of
2038 such endowment fund state grant maximum commitment shall be
2039 carried forward and be eligible for a matching state grant in any
2040 succeeding fiscal year from the fiscal year ending June 30, 2000, to the
2041 fiscal year ending June 30, 2014, inclusive, subject to the endowment

2042 fund state grant maximum commitment. Any endowment fund
 2043 eligible gifts that are not included in the total amount of endowment
 2044 fund eligible gifts certified by the chairperson of the board of trustees
 2045 pursuant to this subdivision may be carried forward and be eligible for
 2046 a matching state grant in any succeeding fiscal year from the fiscal year
 2047 ending June 30, 2000, to the fiscal year ending June 30, 2014, inclusive,
 2048 subject to the endowment fund state matching grant maximum
 2049 commitment for such fiscal year.

2050 Sec. 68. (NEW) (*Effective from passage*) Notwithstanding the
 2051 provisions of sections 10a-77a, 10a-99a, 10a-109c, 10a-109i and 10a-143a
 2052 of the general statutes, as amended by this act, no funds shall be
 2053 appropriated to the Department of Higher Education for grants
 2054 pursuant to subdivision (2) of subsection (a) of section 10a-77a,
 2055 subdivision (2) of subsection (a) of section 10a-99a, subdivision (2) of
 2056 subsection (b) of section 10a-109i and subdivision (2) of subsection (a)
 2057 of section 10a-143a of the general statutes, as amended by this act: (1)
 2058 Until such time as the amount in the Budget Reserve Fund, established
 2059 in section 4-30a of the general statutes, equals ten per cent of the net
 2060 General Fund appropriations for the fiscal year in progress, (2) the
 2061 amount of the grants appropriated shall be reduced proportionately if
 2062 the amount available is less than the amount required for such grants,
 2063 and (3) the amount of funds available to be appropriated during any
 2064 fiscal year for such grants shall not exceed twenty-five million dollars.

2065 Sec. 69. Section 48 of public act 00-192, as amended by section 16 of
 2066 public act 00-1 of the June special session, is repealed and the following
 2067 is substituted in lieu thereof (*Effective from passage*):

2068 The \$6,000,000 appropriated to the Office of Policy and
 2069 Management in section 35 of special act 00-13 for Arts Grants shall be
 2070 distributed as follows: (1) Hartford's Mark Twain Days, Inc. \$300,000,
 2071 (2) Washington Indian Museum \$400,000, (3) Westport Country
 2072 Playhouse \$400,000, (4) Norwalk Maritime Museum \$700,000, (5)
 2073 Mattatuck Museum \$55,000, (6) Colebrook Historic Town Hall

2074 \$500,000, (7) Dudley Farm Foundation \$25,000, (8) Basic Cultural
 2075 Resources Grant in the State Library \$100,000, (9) Office of Policy and
 2076 Management for the development and distribution of a CD Rom on
 2077 Civics and the Connecticut State Legislative process \$75,000, (10)
 2078 Hamden Arts Council and Center \$500,000, (11) Sterling Opera House
 2079 \$200,000, (12) Stamford Cultural Development Center \$225,000, (13)
 2080 Park Road Playhouse, Inc. \$100,000, (14) Downtown Cabaret Theater of
 2081 Bridgeport \$100,000, (15) Antiquarian and Landmark Society/Butler-
 2082 McCook Homestead \$100,000, (16) East Hartford Fine Arts
 2083 Commission \$100,000, (17) Almira Stephan Memorial Playhouse
 2084 \$50,000, (18) Putnam Board of Education \$95,000, (19) Ansonia Nature
 2085 Center Regional Arts Program \$100,000, (20) City of Danbury \$30,000,
 2086 (21) City of Danbury Palace Theater \$250,000, (22) Bristol/School
 2087 Industry Partnership and Bristol Padaeia \$225,000, (23) Arts of Tolland,
 2088 Inc. \$25,000, (24) New Britain Museum of American Art \$600,000, (25)
 2089 Town of Rocky Hill-construct public fountain, \$50,000, (26) CT
 2090 Outdoor Historic Drama \$75,000, (27) Town of Newington, [Budney
 2091 Museum and Visitors Cultural Center \$50,000] Deming-Young
 2092 Farmhouse restoration \$10,000; Lucy Robbins Welles Library cultural
 2093 programs \$20,000; Newington Public School cultural programs
 2094 \$20,000, (28) CT Consortium for Law and Citizenship Education, Inc.
 2095 \$25,000, (29) Colchester Arts Commission \$50,000, (30) Town of
 2096 Ellington Arts Commission \$75,000, (31) Town of Plainville, Library
 2097 Sculpture for Outdoor Reading \$50,000, (32) Spirit of Broadway
 2098 Theater-Norwich \$50,000, (33) Montville Town Hall Renovation
 2099 Committee-Historic Preservation \$25,000, (34) Town of Portland-
 2100 Historical Quarry and Commercial Park \$50,000, (35) Windsor Locks
 2101 Historical Society \$50,000, (36) Vernon Arts Commission \$50,000, (37)
 2102 Town of Guilford Parks and Recreation Committee for Cultural and
 2103 Arts 2000 Celebration Committee \$45,000, and (38) Greater New
 2104 Britain Arts Alliance \$100,000.

2105 Sec. 70. (*Effective July 1, 2005*) Not later than October 1, 2005, the
 2106 Commissioner of Higher Education, in collaboration with the Board of
 2107 Trustees for Community-Technical Colleges, the Board of Trustees of

2108 The University of Connecticut, the Board of Trustees of the
2109 Connecticut State University System, the Connecticut Conference of
2110 Independent Colleges and representatives from college and university
2111 faculty, the Association of American Publishers and Textbook
2112 Publishers and campus bookstores, shall convene a Textbook Summit,
2113 during which they shall examine factors relating to the cost and use of
2114 textbooks and supplemental instructional materials required for
2115 courses at postsecondary institutions. The constituent units of the state
2116 system of higher education shall develop recommendations governing
2117 the use of textbooks and shall, not later than January 1, 2006, report on
2118 such recommendations, in accordance with the provisions of section
2119 11-4a of the general statutes, to the joint standing committee of the
2120 General Assembly having cognizance of matters relating to higher
2121 education and employment advancement.

2122 Sec. 71. (*Effective July 1, 2005*) Any funds appropriated to the Judicial
2123 Department for the delivery of civil legal services to the poor by
2124 nonprofit corporations whose principal purpose is the delivery of such
2125 services shall be deposited in a separate account and distributed to the
2126 organization that administers the program for the use of interest
2127 earned on lawyers' clients' funds accounts established under section
2128 51-81c of the general statutes. The organization shall make grants-in-
2129 aid to nonprofit organizations providing civil legal representation to
2130 poor people in Connecticut, using the same criteria used for the
2131 distribution of funds under said section 51-81c.

2132 Sec. 72. Subsection (a) of section 33 of public act 05-251 is repealed
2133 and the following is substituted in lieu thereof: (*Effective July 1, 2005*)

2134 (a) Up to ~~[\$250,000]~~ \$650,000 of the unexpended balance of funds
2135 appropriated to the Commission on Culture and Tourism in section 1
2136 of public act 04-216, for State-Wide Marketing, shall not lapse on June
2137 30, 2005, and such funds shall continue to be available for expenditure
2138 for such purpose during the fiscal year ending June 30, 2006.

2139 Sec. 73. (*Effective from passage*) The unexpended balance of funds

2140 appropriated to the Department of Public Safety, for the fiscal year
2141 ending June 30, 2005, for Other Expenses, shall not lapse on July 1,
2142 2005, and such funds shall continue to be available for expenditure for
2143 such purpose during the fiscal year ending June 30, 2006.

2144 Sec. 74. Subsection (b) of section 51 of public act 05-251 is repealed
2145 and the following is substituted in lieu thereof: *(Effective July 1, 2005)*

2146 (b) Up to \$90,000 of the unexpended balance of funds appropriated
2147 to the Department of Mental Health and Addiction Services, in section
2148 11 of public act 03-1 of the June special session, as amended by section
2149 1 of public act 04-216, for Housing Supports and Services, shall not
2150 lapse on June 30, 2005, and such funds shall continue to be available
2151 for social worker support at Common Ground in Willimantic during
2152 the fiscal year ending June 30, [2007] 2006.

2153 Sec. 75. *(Effective July 1, 2005)* The unexpended balance of funds
2154 appropriated to the Department of Correction, in section 11 of public
2155 act 03-1 of the June 30 special session, as amended by section 1 of
2156 public act 04-216, for Other Expenses, shall not lapse on June 30, 2005,
2157 and such funds shall be available for expenditure during the fiscal year
2158 ending June 30, 2006.

2159 Sec. 76. *(Effective July 1, 2005)* Funds appropriated to the Teachers'
2160 Retirement Board in subsection (a) of section 49 of public act 05-251,
2161 for Retirement Contributions, shall not lapse on June 30, 2005, and
2162 shall continue to be available for expenditure for such purpose as
2163 follows: The sum of \$50,000,000 shall be available during the fiscal year
2164 ending June 30, 2006; the sum of \$50,000,000 shall be available during
2165 the fiscal year ending June 30, 2007.

2166 Sec. 77. Subsection (c) of section 10-264~~l~~ of the general statutes, as
2167 amended by section 3 of public act 05-2 and sections 25 and 36 of
2168 public act 05-245, is repealed and the following is substituted in lieu
2169 thereof *(Effective July 1, 2005)*:

2170 (c) (1) The maximum amount each interdistrict magnet school
2171 program, except those described in subparagraph (A) of subdivision
2172 (3) of this subsection, shall be eligible to receive per enrolled student
2173 shall be determined as follows: (A) For each participating district
2174 whose magnet school program enrollment is equal to or less than
2175 thirty per cent of the magnet school program total enrollment, ninety
2176 per cent of the foundation as defined in subdivision (9) of section 10-
2177 262f; (B) for each participating district whose magnet school program
2178 enrollment is greater than thirty per cent but less than or equal to sixty
2179 per cent of the magnet school program total enrollment, a percentage
2180 between sixty and ninety per cent of said foundation that is inversely
2181 proportional to the percentage of magnet school program students
2182 from such district; and (C) for each participating district whose magnet
2183 school program enrollment is greater than sixty per cent but less than
2184 or equal to ninety per cent of the magnet school program total
2185 enrollment, a percentage between zero and sixty per cent of said
2186 foundation that is inversely proportional to the percentage of magnet
2187 school program students from such district. The amounts so
2188 determined shall be proportionately adjusted, if necessary, within the
2189 limit of the available appropriation, and in no case shall any grant
2190 pursuant to this section exceed the reasonable operating budget of the
2191 magnet school program, less revenues from other sources. Any magnet
2192 school program operating less than full-time but at least half-time shall
2193 be eligible to receive a grant equal to sixty-five per cent of the grant
2194 amount determined pursuant to this subsection.

2195 (2) For fiscal years ending June 30, 2003, and each fiscal year
2196 thereafter, the commissioner may, within available appropriations,
2197 provide supplemental grants for the purposes of enhancing
2198 educational programs in such interdistrict magnet schools, including,
2199 but not limited to, summer school programs, as the commissioner
2200 determines. Such grants shall be made after the commissioner has
2201 reviewed and approved the total operating budget for such schools,
2202 including all revenue and expenditure estimates.

2203 (3) (A) Each interdistrict magnet school operated by a regional
2204 educational service center that enrolls less than fifty-five per cent of the
2205 school's students from a single town shall receive a per pupil grant in
2206 the amount of six thousand two hundred fifty dollars for the fiscal year
2207 ending June 30, 2006, and in the amount of six thousand five hundred
2208 dollars for the fiscal year ending June 30, 2007, and for each fiscal year
2209 thereafter.

2210 (B) Each interdistrict magnet school operated by a regional
2211 educational service center that enrolls at least fifty-five per cent of the
2212 school's students from a single town shall receive a per pupil grant in
2213 an amount that is at least three thousand dollars for the fiscal year
2214 ending June 30, 2006, and for each fiscal year thereafter.

2215 Sec. 78. Section 10-266aa of the general statutes is amended by
2216 adding subsection (m) as follows (*Effective July 1, 2005*):

2217 (NEW) (m) Within available appropriations, the commissioner may
2218 make grants to regional education service centers which provide
2219 summer school educational programs approved by the commissioner
2220 to students participating in the program.

2221 Sec. 79. Section 10-264l of the general statutes, as amended by
2222 section 3 of public act 05-2 and sections 25 and 36 of public act 05-245,
2223 is repealed and the following is substituted in lieu thereof (*Effective July*
2224 *1, 2005*):

2225 (a) The Department of Education shall, within available
2226 appropriations, establish a grant program to assist local and regional
2227 boards of education, regional educational service centers, the Board of
2228 Trustees of the Community-Technical Colleges on behalf of
2229 Manchester Community College, and cooperative arrangements
2230 pursuant to section 10-158a with the operation of interdistrict magnet
2231 school programs. All interdistrict magnet schools shall be operated in
2232 conformance with the same laws and regulations applicable to public
2233 schools. For the purposes of this section "an interdistrict magnet school

2234 program" means a program which (1) supports racial, ethnic and
2235 economic diversity, (2) offers a special and high quality curriculum,
2236 and (3) requires students who are enrolled to attend at least half-time.
2237 An interdistrict magnet school program does not include a regional
2238 vocational agriculture school, a regional vocational-technical school or
2239 a regional special education center. On and after July 1, 2000, the
2240 governing authority for each interdistrict magnet school program that
2241 is in operation prior to July 1, 2005, shall restrict the number of
2242 students that may enroll in the program from a participating district to
2243 eighty per cent of the total enrollment of the program. The governing
2244 authority for each interdistrict magnet school program that begins
2245 operations on or after July 1, 2005, shall (A) restrict the number of
2246 students that may enroll in the program from a participating district to
2247 seventy-five per cent of the total enrollment of the program, and (B)
2248 maintain such a school enrollment that at least twenty-five per cent but
2249 not more than seventy-five per cent of the students enrolled are pupils
2250 of racial minorities, as defined in section 10-226a.

2251 (b) Applications for interdistrict magnet school program operating
2252 grants awarded pursuant to this section shall be submitted annually to
2253 the Commissioner of Education at such time and in such manner as the
2254 commissioner prescribes. In determining whether an application shall
2255 be approved and funds awarded pursuant to this section, the
2256 commissioner shall consider, but such consideration shall not be
2257 limited to: (1) Whether the program offered by the school is likely to
2258 increase student achievement; (2) whether the program is likely to
2259 reduce racial, ethnic and economic isolation; (3) the percentage of the
2260 student enrollment in the program from each participating district;
2261 and (4) the proposed operating budget and the sources of funding for
2262 the interdistrict magnet school. If requested by the commissioner, the
2263 applicant shall meet with the commissioner or the commissioner's
2264 designee to discuss the budget and sources of funding. The
2265 commissioner shall not award a grant to a program that is in operation
2266 prior to July 1, 2005, if more than eighty per cent of its total enrollment
2267 is from one school district, except that the commissioner may award a

2268 grant for good cause, for any one year, on behalf of an otherwise
2269 eligible magnet school program, if more than eighty per cent of the
2270 total enrollment is from one district. The commissioner shall not award
2271 a grant to a program that begins operations on or after July 1, 2005, if
2272 more than seventy-five per cent of its total enrollment is from one
2273 school district or if less than twenty-five or more than seventy-five per
2274 cent of the students enrolled are pupils of racial minorities, as defined
2275 in section 10-226a, except that the commissioner may award a grant for
2276 good cause, for one year, on behalf of an otherwise eligible interdistrict
2277 magnet school program, if more than seventy-five per cent of the total
2278 enrollment is from one district or less than twenty-five or more than
2279 seventy-five per cent of the students enrolled are pupils of racial
2280 minorities. The commissioner may not award grants pursuant to such
2281 an exception for a second consecutive year.

2282 (c) (1) The maximum amount each interdistrict magnet school
2283 program, except those described in subparagraph (A) of subdivision
2284 (3) of this subsection, shall be eligible to receive per enrolled student
2285 shall be determined as follows: (A) For each participating district
2286 whose magnet school program enrollment is equal to or less than
2287 thirty per cent of the magnet school program total enrollment, ninety
2288 per cent of the foundation as defined in subdivision (9) of section 10-
2289 262f; (B) for each participating district whose magnet school program
2290 enrollment is greater than thirty per cent but less than or equal to sixty
2291 per cent of the magnet school program total enrollment, a percentage
2292 between sixty and ninety per cent of said foundation that is inversely
2293 proportional to the percentage of magnet school program students
2294 from such district; and (C) for each participating district whose magnet
2295 school program enrollment is greater than sixty per cent but less than
2296 or equal to ninety per cent of the magnet school program total
2297 enrollment, a percentage between zero and sixty per cent of said
2298 foundation that is inversely proportional to the percentage of magnet
2299 school program students from such district. The amounts so
2300 determined shall be proportionately adjusted, if necessary, within the
2301 limit of the available appropriation, and in no case shall any grant

2302 pursuant to this section exceed the reasonable operating budget of the
2303 magnet school program, less revenues from other sources. Any magnet
2304 school program operating less than full-time but at least half-time shall
2305 be eligible to receive a grant equal to sixty-five per cent of the grant
2306 amount determined pursuant to this subsection.

2307 (2) For the fiscal year ending June 30, 2003, and each fiscal year
2308 thereafter, the commissioner may, within available appropriations,
2309 provide supplemental grants for the purposes of enhancing
2310 educational programs in such interdistrict magnet schools as the
2311 commissioner determines. Such grants shall be made after the
2312 commissioner has reviewed and approved the total operating budget
2313 for such schools, including all revenue and expenditure estimates.

2314 (3) (A) Each interdistrict magnet school operated by a regional
2315 educational service center that enrolls less than fifty-five per cent of the
2316 school's students from a single town shall receive a per pupil grant in
2317 the amount of six thousand two hundred fifty dollars for the fiscal year
2318 ending June 30, 2006, and in the amount of six thousand five hundred
2319 dollars for the fiscal year ending June 30, 2007, and for each fiscal year
2320 thereafter.

2321 (B) Each interdistrict magnet school operated by a regional
2322 educational service center that enrolls at least fifty-five per cent of the
2323 school's students from a single town shall receive a per pupil grant in
2324 an amount that is at least three thousand dollars for the fiscal year
2325 ending June 30, 2006, and for each fiscal year thereafter.

2326 (d) Grants made pursuant to this section shall be paid as follows:
2327 Fifty per cent by September first and the balance by January first of
2328 each fiscal year. The January first payment shall be adjusted to reflect
2329 actual interdistrict magnet school program enrollment as of the
2330 preceding October first, if the actual level of enrollment is lower than
2331 the projected enrollment stated in the approved grant application.

2332 (e) The Department of Education may retain up to one-half of one

2333 per cent of the amount appropriated for purposes of this section for
2334 program evaluation and administration.

2335 [(e)] (f) Each local or regional school district in which an interdistrict
2336 magnet school is located shall provide the same kind of transportation
2337 to its children enrolled in such interdistrict magnet school as it
2338 provides to its children enrolled in other public schools in such local or
2339 regional school district. The parent or guardian of a child denied the
2340 transportation services required to be provided pursuant to this
2341 subsection may appeal such denial in the manner provided in sections
2342 10-186 and 10-187.

2343 [(f)] (g) On or before October fifteenth of each year, the
2344 Commissioner of Education shall determine if interdistrict magnet
2345 school enrollment is below the number of students for which funds
2346 were appropriated. If the commissioner determines that the
2347 enrollment is below such number, the additional funds shall not lapse
2348 but shall be used by the commissioner for grants for interdistrict
2349 cooperative programs pursuant to section 10-74d.

2350 [(g)] (h) In the case of a student identified as requiring special
2351 education, the school district in which the student resides shall: (1)
2352 Hold the planning and placement team meeting for such student and
2353 shall invite representatives from the interdistrict magnet school to
2354 participate in such meeting; and (2) pay the interdistrict magnet school
2355 an amount equal to the difference between the reasonable cost of
2356 educating such student and the sum of the amount received by the
2357 interdistrict magnet school for such student pursuant to subsection (c)
2358 of this section and amounts received from other state, federal, local or
2359 private sources calculated on a per pupil basis. Such school district
2360 shall be eligible for reimbursement pursuant to section 10-76g. If a
2361 student requiring special education attends an interdistrict magnet
2362 school on a full-time basis, such interdistrict magnet school shall be
2363 responsible for ensuring that such student receives the services
2364 mandated by the student's individualized education program whether

2365 such services are provided by the interdistrict magnet school or by the
2366 school district in which the student resides.

2367 [(h)] (i) Nothing in this section shall be construed to prohibit the
2368 enrollment of nonpublic school students in an interdistrict magnet
2369 school program that operates less than full-time, provided (1) such
2370 students constitute no more than five per cent of the full-time
2371 equivalent enrollment in such magnet school program, and (2) such
2372 students are not counted for purposes of determining the amount of
2373 grants pursuant to this section and section 10-264i.

2374 Sec. 80. (*Effective July 1, 2005*) Sections 44 and 45 of house bill 7000 of
2375 the January, 2005 regular session shall take effect July 1, 2005.

2376 Sec. 81. Subsection (a) of section 68 of house bill 7000 of the January,
2377 2005 regular session is repealed and the following is substituted in lieu
2378 thereof (*Effective July 1, 2005*):

2379 (a) The Commissioner of Public Health, in conjunction with the
2380 chairpersons of the joint standing committee of the General Assembly
2381 having cognizance of matters relating to public health, shall convene a
2382 working group to study whether the state should contract for the
2383 development of a program or enter into an existing program, that
2384 allows Connecticut residents to purchase prescription drugs through
2385 pharmacies located in Canada or other countries. The working group
2386 shall include, but not be limited to, the Commissioner of Public Health,
2387 or the commissioner's designee, the Commissioner of Consumer
2388 Protection, or the commissioner's designee, the Commissioner of Social
2389 Services, or the commissioner's designee, the chairpersons of the joint
2390 standing committee of the General Assembly having cognizance of
2391 matters relating to public health, or their designees, the Attorney
2392 General or the Attorney General's designee, a representative of the
2393 Office of Policy and Management and any other person the
2394 Commissioner of Public Health and the chairpersons of the joint
2395 standing committee of the General Assembly having cognizance of
2396 matters relating to public health deem necessary.

2397 Sec. 82. Section 53-341b of the general statutes is repealed and the
2398 following is substituted in lieu thereof (*Effective July 1, 2005*):

2399 (a) No person, firm or corporation shall sell or deliver body armor
2400 to another person unless the transferee meets in person with the
2401 transferor to accomplish the sale or delivery.

2402 (b) The provisions of subsection (a) of this section shall not apply to
2403 the sale or delivery of body armor to a sworn member or authorized
2404 official of an organized local police department, [or of] the Division of
2405 State Police within the Department of Public Safety or the Division of
2406 Criminal Justice, to an authorized official of a municipality or the
2407 Department of Administrative Services that purchases body armor on
2408 behalf of an organized local police department, [or said] the Division
2409 of State Police within the Department of Public Safety or the Division
2410 of Criminal Justice, to an authorized official of the Judicial Branch who
2411 purchases body armor on behalf of a probation officer or to a member
2412 of the National Guard or the armed forces reserve.

2413 (c) As used in this section, "body armor" means any material
2414 designed to be worn on the body and to provide bullet penetration
2415 resistance.

2416 (d) Any person, firm or corporation that violates the provisions of
2417 this section shall be guilty of a class B misdemeanor.

2418 Sec. 83. Subsection (a) of section 17b-802 of the general statutes, as
2419 amended by section 39 of house bill 7000 of the January, 2005 regular
2420 session, is repealed and the following is substituted in lieu thereof
2421 (*Effective July 1, 2005*):

2422 (a) The Commissioner of Social Services shall establish, within
2423 available appropriations, and administer a security deposit guarantee
2424 program for persons who (1) (A) are recipients of temporary family
2425 assistance, aid under the state supplement program, or state-
2426 administered general assistance, or (B) have a documented showing of

2427 financial need, and (2) (A) are residing in emergency shelters or other
 2428 emergency housing, cannot remain in permanent housing due to any
 2429 reason specified in subsection (a) of section 17b-808, or are served a
 2430 notice to quit in a summary process action instituted pursuant to
 2431 chapter 832, or (B) have a rental assistance program or federal Section 8
 2432 certificate or voucher. Under such program, the Commissioner of
 2433 Social Services may provide security deposit guarantees for use by
 2434 such persons in lieu of a security deposit on a rental dwelling unit.
 2435 Eligible persons may receive a security deposit guarantee in an amount
 2436 not to exceed the equivalent of two months' rent on such rental unit.
 2437 No person may apply for and receive a security deposit guarantee
 2438 more than once in any eighteen-month period without the express
 2439 authorization of the Commissioner of Social Services, except as
 2440 provided in subsection (b) of this section. The Commissioner of Social
 2441 Services may deny eligibility for the security deposit guarantee
 2442 program to an applicant [who has made more than two claims in a] for
 2443 whom the commissioner has paid two or more claims by landlords
 2444 during the immediately preceding five-year period. The Commissioner
 2445 of Social Services may establish priorities for providing security
 2446 deposit guarantees to eligible persons described in subparagraphs (A)
 2447 and (B) of subdivision (2) of this subsection in order to administer the
 2448 program within available appropriations.

2449 Sec. 84. (NEW) (*Effective from passage*) (a) There is established a
 2450 Geospatial Information Systems Council consisting of the following
 2451 members, or their designees: (1) The Secretary of the Office of Policy
 2452 and Management; (2) the Commissioners of Environmental Protection,
 2453 Economic and Community Development, Transportation, Public
 2454 Safety, Public Health, Public Works, Agriculture, Emergency
 2455 Management and Homeland Security and Social Services; (3) the Chief
 2456 Information Officer of the Department of Information Technology; (4)
 2457 the Chancellor of the Connecticut State University system; (5) the
 2458 president of The University of Connecticut; (6) the Executive Director
 2459 of the Connecticut Siting Council; (7) one member who is a user of
 2460 geospatial information systems appointed by the president pro

2461 tempore of the Senate representing a municipality with a population of
2462 more than sixty thousand; (8) one member who is a user of geospatial
2463 information systems appointed by the minority leader of the Senate
2464 representing a regional planning agency; (9) one member who is a user
2465 of geospatial information systems appointed by the Governor
2466 representing a municipality with a population of less than sixty
2467 thousand but more than thirty thousand; (10) one member who is a
2468 user of geospatial information systems appointed by the speaker of the
2469 House of Representatives representing a municipality with a
2470 population of less than thirty thousand; (11) one member appointed by
2471 the minority leader of the House of Representatives who is a user of
2472 geospatial information systems; (12) the chairperson of the Public
2473 Utility Control Authority; (13) the Adjutant General of the Military
2474 Department; and (14) any other persons the council deems necessary
2475 appointed by the council. The Governor shall select the chairperson
2476 from among the members. The chairperson shall administer the affairs
2477 of the council. Vacancies shall be filled by appointment by the
2478 authority making the appointment. Members shall receive no
2479 compensation for their services on said council, but shall be
2480 reimbursed for necessary expenses incurred in the performance of
2481 their duties. Said council shall hold one meeting each month and such
2482 additional meetings as may be prescribed by council rules. In addition,
2483 special meetings may be called by the chairperson or by any three
2484 members upon delivery of forty-eight hours written notice to each
2485 member.

2486 (b) The council, within available appropriations, shall coordinate a
2487 uniform geospatial information system capacity for municipalities,
2488 regional planning agencies, the state and others, as needed, which
2489 shall include provisions for (1) creation, maintenance and
2490 dissemination of geographic information or imagery that may be used
2491 to (A) precisely identify certain locations or areas, or (B) create maps or
2492 information profiles in graphic or electronic form about particular
2493 locations or areas, and (2) promotion of a forum in which geospatial
2494 information may be centralized and distributed. In establishing such

2495 capacity, the council shall consult with municipalities, regional
2496 planning agencies, state agencies and other users of geospatial
2497 information system technology. The purpose of any such system shall
2498 be to provide guidance or assistance to municipal and state officials in
2499 the areas of land use planning, transportation, economic development,
2500 environmental, cultural and natural resources management, the
2501 delivery of public services and other areas, as necessary.

2502 (c) The council may apply for federal grants and may accept and
2503 expend such grants on behalf of the state through the Office of Policy
2504 and Management.

2505 (d) The council, within available appropriations, shall administer a
2506 program of technical assistance to municipalities and regional
2507 planning agencies to develop geospatial information systems and shall
2508 periodically recommend improvements to the geospatial information
2509 system provided for in subsection (b) of this section.

2510 (e) On or before January 1, 2006, and annually thereafter, the council
2511 shall submit, in accordance with section 11-4a of the general statutes, a
2512 report on activities under this section to the joint standing committee
2513 of the General Assembly having cognizance of matters relating to
2514 planning and development.

2515 Sec. 85. (*Effective from passage*) On or before January 15, 2006, the
2516 Secretary of the Office of Policy and Management, in consultation with
2517 the Commissioner of Environmental Protection, the Council on Soil
2518 and Water Conservation, regional planning agencies organized under
2519 the provisions of chapter 127 of the general statutes, regional councils
2520 of governments and regional councils of elected officials organized
2521 under the provisions of chapter 50 of the general statutes, the
2522 Agricultural Extension Services of The University of Connecticut, the
2523 Connecticut Chapter of the American Planning Association, the Center
2524 of Land Use Education and Research at The University of Connecticut
2525 and the Rural Development Council, shall prepare a report on land use
2526 training and education available to members of local land uses

2527 agencies. Such report shall include a survey of existing programs and
2528 their utilization and recommendations, if any, for enhancements and
2529 additions to such programs including changes in state law.

2530 Sec. 86. Section 29-224a of the general statutes is repealed and the
2531 following is substituted in lieu thereof (*Effective July 1, 2005*):

2532 Each crane or hoisting equipment owner or operator shall
2533 immediately report any accident involving a crane or hoisting
2534 equipment he owns or operates to the board. Upon receipt of any such
2535 report, the board may cause a full investigation and inspection of such
2536 crane or hoisting equipment to determine the cause of the accident and
2537 may take any action it deems appropriate if, after notice and
2538 opportunity for hearing, it determines that a violation of any provision
2539 of this chapter or any regulations adopted thereunder exists.

2540 Sec. 87. Section 29-224b of the general statutes is repealed and the
2541 following is substituted in lieu thereof (*Effective July 1, 2005*):

2542 The commissioner or any employee of the Department of Public
2543 Safety, while engaged in the performance of his duties, may enter at all
2544 reasonable hours into and upon any premises in or on which a crane or
2545 hoisting equipment is located for the purpose of carrying out the
2546 provisions of this chapter and the regulations adopted thereunder.

2547 Sec. 88. Section 29-225 of the general statutes is repealed and the
2548 following is substituted in lieu thereof (*Effective July 1, 2005*):

2549 (a) The board may suspend or revoke a crane operator's license, a
2550 hoisting equipment operator's license or an apprentice's certificate
2551 after notice and hearing upon a finding that the holder has
2552 demonstrated incompetence or has been guilty of negligence in the
2553 performance of his work.

2554 (b) The board may suspend or revoke a crane owner's registration
2555 after notice and hearing upon a finding that the holder has failed to
2556 properly maintain his crane or has permitted the operation of his crane

2557 in an unsafe manner.

2558 (c) The board may impose a civil penalty of not more than one
2559 thousand dollars on any crane or hoisting equipment owner or
2560 operator who violates any provision of this chapter or any regulations
2561 adopted thereunder.

2562 Sec. 89. Section 22a-449 of the general statutes is repealed and the
2563 following is substituted in lieu thereof (*Effective from passage*):

2564 (a) The Commissioner of Environmental Protection shall, to the
2565 extent possible, immediately, whenever there is discharge, spillage,
2566 uncontrolled loss, seepage or filtration of oil or petroleum or chemical
2567 liquids or solid, liquid or gaseous products or hazardous wastes upon
2568 any land or into any of the waters of the state or into any offshore or
2569 coastal waters, which may result in pollution of the waters of the state,
2570 damage to beaches, wetlands, stream banks or coastal areas, or
2571 damage to sewers or utility conduits or other public or private
2572 property or which may create an emergency, cause such discharge,
2573 spillage, uncontrolled loss, seepage or filtration to be contained and
2574 removed or otherwise mitigated by whatever method said
2575 commissioner considers best and most expedient under the
2576 circumstances. The commissioner shall also (1) determine the person,
2577 firm or corporation responsible for causing such discharge, spillage,
2578 uncontrolled loss, seepage or filtration, and (2) send notice, in writing,
2579 to the chief executive officer and the local director of health of the
2580 municipality in which such discharge, spillage, uncontrolled loss,
2581 seepage or filtration occurs of such occurrence. Such notification shall
2582 be sent not later than twenty-four hours after the commissioner
2583 becomes aware of the contamination.

2584 (b) The commissioner may: (1) License terminals in the state for the
2585 loading or unloading of oil or petroleum or chemical liquids or solid,
2586 liquid or gaseous products or hazardous wastes and shall adopt, in
2587 accordance with chapter 54, reasonable regulations in connection
2588 therewith for the purposes of identifying terminals subject to licensure

2589 and protecting the public health and safety and for preventing the
2590 discharge, spillage, uncontrolled loss, seepage or filtration of oil or
2591 petroleum or chemical liquids or solid, liquid or gaseous products or
2592 hazardous wastes. Each license issued under this section shall be valid
2593 for a period of not more than three years commencing July first, unless
2594 sooner revoked by the commissioner, and there shall be charged for
2595 each such license or renewal thereof fees established by regulation
2596 sufficient to cover the reasonable cost to the state of inspecting and
2597 licensing such terminals; (2) provide by regulations for the
2598 establishment and maintenance in operating condition and position of
2599 suitable equipment to contain as far as possible the discharge, spillage,
2600 uncontrolled loss, seepage or filtration of any oil or petroleum or
2601 chemical liquids or solid, liquid or gaseous products or hazardous
2602 wastes; (3) inspect periodically all hoses, gaskets, tanks, pipelines and
2603 other equipment used in connection with the transfer, transportation
2604 or storage of oil or petroleum or chemical liquids or solid, liquid or
2605 gaseous products or hazardous wastes to make certain that they are in
2606 good operating condition, and order the renewal of any such
2607 equipment found unfit for further use. No person shall commence
2608 operation of any such terminal in this state on or after July 1, 1993,
2609 without a license issued by the commissioner. Any person who
2610 operates any such terminal without a license issued by the
2611 commissioner shall be fined not more than five thousand dollars per
2612 day during any period of unlicensed operation.

2613 (c) The commissioner may establish such programs and adopt, in
2614 accordance with chapter 54, and enforce such regulations as he deems
2615 necessary to carry out the intent of sections 22a-133a to 22a-133j,
2616 inclusive, sections 22a-448 to 22a-454, inclusive, and Subtitle C of the
2617 Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.),
2618 as amended from time to time, except that actions pursuant to the
2619 state's hazardous waste program shall be brought under the provisions
2620 of sections 22a-131 and 22a-131a.

2621 (d) The Commissioner of Environmental Protection in consultation

2622 with the Commissioner of Public Safety may establish by regulations
2623 adopted in accordance with the provisions of chapter 54 standards and
2624 criteria for the nonresidential underground storage of oil, petroleum
2625 and chemical liquids which may include but not be limited to
2626 standards and criteria for the design, installation, operation,
2627 maintenance and monitoring of facilities for the underground storage
2628 and handling of such liquids. [Each nonresidential underground
2629 storage facility which, pursuant to regulations adopted pursuant to
2630 this section, submits notification of installation to the commissioner
2631 after July 1, 1990, shall submit a notification fee of one hundred dollars
2632 per tank.] The Commissioner of Environmental Protection may
2633 establish such programs and adopt, in accordance with chapter 54, and
2634 enforce such regulations as he deems necessary to carry out the intent
2635 of Subtitle I of the Resource Conservation and Recovery Act of 1976 (42
2636 USC 6901, et seq.), as amended from time to time.

2637 (e) The fee for the inspection of each nonresidential underground
2638 storage facility which, pursuant to regulations adopted pursuant to
2639 this section, submits notification to the commissioner shall be one
2640 hundred dollars per tank, provided such fee may not be charged more
2641 than once every five years.

2642 (f) The Commissioner of Environmental Protection may adopt
2643 regulations, in accordance with the provisions of chapter 54, to
2644 establish (1) requirements for the inspection of nonresidential
2645 underground storage tank systems for compliance with the
2646 requirements of this chapter, including, but not limited to, the
2647 minimum frequency, method and content of inspections, and
2648 maintenance and disclosure of results, (2) a program to authorize
2649 persons to (A) perform inspections, including, but not limited to,
2650 education and training requirements for such persons, and whether or
2651 not such persons may be employed by the owner or operator of the
2652 subject nonresidential underground storage tank system, (B) determine
2653 whether the violations for which a nonresidential underground
2654 storage tank system has been taken out of service pursuant to

2655 subsection (g) of this section have been corrected, which regulations
2656 may include, but not be limited to, a prohibition for an owner or
2657 operator of any such system from placing such system back into
2658 service pursuant to subsection (g) of this section after the regulations
2659 take effect or additional requirements for an owner or operator of any
2660 such system, and (C) requirements, in addition to the requirements
2661 contained in subsection (g) of this section, relating to the prohibition of
2662 deliveries to and the use of nonresidential underground storage tank
2663 systems that are not in compliance with section 22a-449o or with the
2664 requirements of this section and any regulations adopted under this
2665 section.

2666 (g) (1) If the commissioner determines that there is a release from a
2667 nonresidential underground storage tank system or that such system
2668 (A) is not designed, constructed, installed and operated in accordance
2669 with section 22a-449o or regulations adopted pursuant to this section,
2670 (B) fails to have or operate proper release detection equipment in
2671 accordance with regulations adopted pursuant to this section, or (C)
2672 fails to have or operate proper overfill and spill protection measures or
2673 equipment in accordance with regulations adopted pursuant to this
2674 section, then the commissioner may require the owner or operator of
2675 the nonresidential underground storage tank system to pump out the
2676 contents of its system, and the commissioner may place a notice on a
2677 system that is plainly visible, indicating that the system is not in
2678 compliance with the requirements applicable to nonresidential
2679 underground storage tank systems and that such system cannot be
2680 used and deliveries to such system cannot be accepted, or the
2681 commissioner may disable the use of such system by placing a
2682 disabling device on the system that prohibits deliveries to such system.
2683 Any action pursuant to this subdivision shall not be based solely on
2684 requirements relating to reporting or recordkeeping. No person shall
2685 make deliveries to any nonresidential underground storage tank
2686 system bearing the notice described in this subdivision or on which the
2687 commissioner has placed a disabling device. The owner or operator of
2688 such system shall ensure that any such system is not used for

2689 dispensing a product or receiving deliveries while any notice or
2690 disabling device has been placed upon such system. Except as
2691 provided in subdivision (3) of this subsection, no person or
2692 municipality shall remove, alter, deface or tamper with any notice or
2693 disabling device placed by the commissioner pursuant to this
2694 subdivision.

2695 (2) Not later than two business days after placing a notice or
2696 disabling device on a nonresidential underground storage tank system
2697 pursuant to subdivision (1) of this subsection, the commissioner shall
2698 provide the owner or operator of the affected underground storage
2699 tank system with an opportunity for a hearing. Any such hearing shall
2700 be limited to whether the violation upon which the commissioner took
2701 action under subdivision (1) of this subsection occurred and whether
2702 such violation is continuing.

2703 (3) A nonresidential underground storage tank system upon which
2704 a notice or disabling device has been placed pursuant to subdivision
2705 (1) of this subsection shall not be put back into service and shall not be
2706 used for dispensing a product or receiving deliveries until the
2707 violations that caused the notice or disabling device to be placed have
2708 been corrected to the satisfaction of (A) the commissioner, or (B) a
2709 person who, pursuant to regulations adopted pursuant to subsection
2710 (f) of this section, has been authorized by the commissioner to
2711 determine whether such violations have been corrected. The
2712 commissioner shall determine whether any applicable violation has
2713 been corrected not later than twenty-four hours after being contacted
2714 by the owner or operator of the underground storage tank system that
2715 any such violation has been fully corrected. Notwithstanding the
2716 provisions of this subdivision, until the commissioner authorizes
2717 persons to determine whether violations have been corrected pursuant
2718 to regulations adopted pursuant to subsection (f) of this section, the
2719 owner or operator of an underground storage tank system upon which
2720 a notice or a disabling device has been placed by the commissioner
2721 may place such system back into service, where, not later than twenty-

2722 four hours after being contacted by the owner or operator, the
2723 commissioner has not determined whether any applicable violation
2724 has been corrected and on the day any such system is returned to
2725 service or the next business day in the event such day is a Saturday,
2726 Sunday or legal holiday, the owner or operator provides the
2727 commissioner with a written affidavit fully describing all actions taken
2728 to correct the violations that caused a notice or disabling device to be
2729 placed upon such system and certifying that all such violations were
2730 fully corrected before any such system was returned to service.

2731 (4) Nothing in this subsection shall affect the authority of the
2732 commissioner under any other statute or regulation.

2733 (h) The person submitting a notification of installation for a
2734 nonresidential underground storage tank or underground storage tank
2735 system pursuant to regulations adopted pursuant to this section shall
2736 submit with such notification a notification fee of one hundred dollars
2737 per tank.

2738 [(f)] (i) Any moneys collected for the issuance or renewal of a
2739 license, pursuant to subsection (b) of this section or regulations
2740 adopted pursuant to said subsection, shall be deposited in the General
2741 Fund.

2742 Sec. 90. Section 22a-449a of the general statutes is repealed and the
2743 following is substituted in lieu thereof (*Effective from passage*):

2744 As used in this section and sections 22a-449c to 22a-449m, inclusive,
2745 and section 95 of this act:

2746 (1) "Petroleum" means crude oil, crude oil fractions and refined
2747 petroleum fractions, including gasoline, kerosene, heating oils and
2748 diesel fuels;

2749 (2) "Release" means any spilling, leaking, pumping, pouring,
2750 emitting, emptying, discharging, injecting, escaping, leaching,
2751 dumping or disposing of petroleum from any underground storage

2752 tank or underground storage tank system;

2753 (3) "Responsible party" means (A) for an application or request for
2754 payment or reimbursement received by the board before July 1, 2005,
2755 or for a determination regarding a person's status as a responsible
2756 party or a third party with respect to a specific release or suspected
2757 release made by the board before July 1, 2005, any person [or entity,
2758 including the state and any political subdivision of the state, which]
2759 who owns or operates an underground storage tank or underground
2760 storage tank system from which a release or suspected release
2761 emanates, (B) for an application or request for payment or
2762 reimbursement received by the board on or after July 1, 2005, any
2763 person who (i) at any time owns, leases, uses or has an interest in the
2764 real property on which an underground storage tank system is or was
2765 located from which there is or has been a release or suspected release,
2766 regardless of when the release or suspected release occurred, or
2767 whether such person owned, leased, used or had an interest in the real
2768 property at the time the release or suspected release occurred, or
2769 whether such person owned, operated, leased or used the
2770 underground storage tank system from which the release or suspected
2771 release occurred, (ii) at any time owns, leases, operates, uses, or has an
2772 interest in an underground storage tank system from which there is or
2773 has been a release or suspected release, regardless of when the release
2774 or suspected release occurred or whether such person owned, leased,
2775 operated, used or had an interest in the underground storage tank
2776 system at the time the release or suspected release occurred, or (iii) is
2777 affiliated with a person described in subclause (i) or (ii) of this
2778 subparagraph through a direct or indirect familial relationship or any
2779 contractual, corporate or financial relationship;

2780 (4) "Underground storage tank" means a tank or combination of
2781 tanks, including underground pipes connected thereto, used to contain
2782 an accumulation of petroleum, whose volume is ten per cent or more
2783 beneath the surface of the ground, including the volume of
2784 underground pipes connected thereto;

2785 (5) "Underground storage tank system" means an underground
2786 storage tank and any associated ancillary equipment and containment
2787 system; [and]

2788 (6) "Residential underground heating oil storage tank system"
2789 means (A) an underground storage tank system used in connection
2790 with residential real property composed of four residential units or
2791 fewer, or (B) a storage tank system and any associated ancillary
2792 equipment used in connection with residential real property composed
2793 of four residential units or fewer; and

2794 (7) "Person" means any individual, firm, partnership, association,
2795 syndicate, company, trust, corporation, limited liability company,
2796 municipality, agency or political or administrative subdivision of the
2797 state, or other legal entity of any kind.

2798 Sec. 91. Section 22a-449c of the general statutes is repealed and the
2799 following is substituted in lieu thereof (*Effective from passage*):

2800 (a) (1) There is established an account to be known as the
2801 "underground storage tank petroleum clean-up account". The
2802 underground storage tank petroleum clean-up account shall be an
2803 account of the Environmental Quality Fund. Notwithstanding any
2804 provision of the general statutes to the contrary, any moneys collected
2805 shall be deposited in the Environmental Quality Fund and credited to
2806 the underground storage tank petroleum clean-up account. Any
2807 balance remaining in said account at the end of any fiscal year shall be
2808 carried forward in said account for the fiscal year next succeeding.

2809 (2) The account shall be used by the Commissioner of
2810 Environmental Protection to provide money for reimbursement or
2811 payment pursuant to section 22a-449f, as amended by this act, to
2812 responsible parties or parties supplying goods or services, [or both, to
2813 responsible parties] for costs, expenses and other obligations paid or
2814 incurred, as the case may be, as a result of releases, and suspected
2815 releases, costs of investigation and remediation of releases and

2816 suspected releases, and [third party] for claims by a person other than
2817 a responsible party for bodily injury, property damage and damage to
2818 natural resources that have been finally adjudicated or settled with the
2819 prior written consent of the board. The commissioner may also make
2820 payment from the account to an assignee who is in the business of
2821 receiving assignments of amounts approved by the board, but not yet
2822 paid from the account, provided the party making any such
2823 assignment, using a form approved by the commissioner, directs the
2824 commissioner to pay such assignee, that no cost of any assignment
2825 shall be borne by the account and that the state and its agencies shall
2826 not bear any liability with respect to any such assignment.

2827 (3) Notwithstanding the provisions of this section regarding
2828 reimbursements of parties pursuant to section 22a-449f, as amended by
2829 this act, regulations promulgated pursuant to section 22a-449e, as
2830 amended by this act, and regardless of when an application for
2831 payment or reimbursement from the account may have been
2832 submitted to the board, [after] payment or reimbursement shall be
2833 made in accordance with the following: (A) After June 1, 2004, no
2834 payment or reimbursement shall be made for any costs, expenses and
2835 other obligations paid or incurred for remediation, including any
2836 monitoring to determine the effectiveness of the remediation, of a
2837 release to levels more stringent than or beyond those specified in the
2838 remediation standards established pursuant to section 22a-133k, except
2839 to the extent the applicant demonstrates that it has been directed
2840 otherwise, in writing, by the [Department of Environmental
2841 Protection] commissioner; (B) after June 1, 2005, no payment or
2842 reimbursement from the account shall be made to any person for
2843 diminution in property value or interest; and (C) after June 1, 2005, no
2844 payment or reimbursement from the account shall be made for
2845 attorneys' fees or other costs of legal representation paid or incurred as
2846 a result of a release or suspected release (i) in excess of five thousand
2847 dollars to any responsible party, (ii) in excess of ten thousand dollars
2848 to any person other than a responsible party, and (iii) by a responsible
2849 party regarding the defense of claims brought by another person. In

2850 addition, notwithstanding the provisions of this section regarding
2851 reimbursements of parties pursuant to section 22a-449f, as amended by
2852 this act, the responsible party [for a release] shall bear all costs of the
2853 release that are less than ten thousand dollars [or] and all persons shall
2854 bear all costs of the release that are more than one million dollars,
2855 except that for any such release which was reported to the department
2856 prior to December 31, 1987, and for which more than five hundred
2857 thousand dollars has been expended by the responsible party to
2858 remediate such release prior to June 19, 1991, the responsible party for
2859 the release shall bear all costs of such release which are less than ten
2860 thousand dollars or more than five million dollars, provided the
2861 portion of any reimbursement or payment in excess of three million
2862 dollars may, at the discretion of the commissioner, be made in annual
2863 payments for up to a five-year period. There shall be allocated to the
2864 department annually, for administrative costs, two million dollars.

2865 (b) There is established a subaccount within the underground
2866 storage tank petroleum clean-up account to be known as the
2867 "residential underground heating oil storage tank system clean-up
2868 subaccount" to be used solely for the provision of reimbursements
2869 under sections 22a-449l and 22a-449n, for the remediation of
2870 contamination attributed to residential underground heating oil
2871 storage tank systems. The subaccount shall hold the proceeds of the
2872 bond funds allocated pursuant to section 51 of public act 00-167*.

2873 (c) There is established a subaccount within the underground
2874 storage tank petroleum clean-up account to be known as the "pay for
2875 performance subaccount" with which the commissioner may
2876 implement a program, in consultation with the board, in which
2877 reimbursement or repayment in accordance with this section is based
2878 upon the achievement of environmental milestones or results. The
2879 commissioner, with the approval of the board, may enter into contracts
2880 to implement any such program.

2881 (d) (1) If an initial application or request for payment or

2882 reimbursement is received by the board before July 1, 2005, no
2883 supplemental application or request for payment or reimbursement
2884 shall be submitted to the board on or after October 1, 2009, regarding
2885 costs, expenses or other obligations paid or incurred in response to the
2886 release or suspected release noted in any such initial application or
2887 request for payment or reimbursement. The provisions of this
2888 subdivision shall apply regardless of whether the cost, expense or
2889 other obligation was paid or incurred before October 1, 2009, and no
2890 reimbursement or payment from the account shall be ordered by the
2891 board or made by the commissioner regarding any such supplemental
2892 application or request for payment or reimbursement received by the
2893 board on or after the October 1, 2009, deadline established in this
2894 subdivision.

2895 (2) If an initial application or request for payment or reimbursement
2896 is received by the board on or after July 1, 2005, no supplemental
2897 application or request for payment or reimbursement shall be
2898 submitted to the board more than five years after the date that the
2899 initial application or request for payment or reimbursement was
2900 received by the board, regarding costs, expenses or other obligations
2901 paid or incurred in response to the release or suspected release noted
2902 in such initial application or request for payment or reimbursement.
2903 The provisions of this subdivision shall apply regardless of whether a
2904 cost, expense or other obligation was paid or incurred before the
2905 expiration of the five-year deadline established in this subdivision and
2906 no reimbursement or payment from the account shall be ordered by
2907 the board or made by the commissioner regarding any such
2908 supplemental application or request for payment or reimbursement
2909 received by the board after the five-year deadline established in this
2910 subdivision.

2911 (3) Notwithstanding the provisions of subsection (i) of section 22a-
2912 449f, as amended by this act, if an application or request for payment
2913 or reimbursement is not brought before the board for a decision not
2914 later than six months after having been received by the board, then six

2915 months shall be added to the deadline applicable pursuant to
2916 subdivision (1) or (2) of this subsection, provided no more than two
2917 years shall be added to the deadline established pursuant to
2918 subdivision (1) or (2) of this subsection regardless of whether one or
2919 more applications or requests for payment or reimbursement have
2920 been received by the board but have not been brought before the board
2921 for a decision not later than six months after receipt. In addition, if the
2922 commissioner determines that an application or request for payment
2923 or reimbursement is ready for decision by the board and such
2924 application or request has been placed on the agenda for the meeting
2925 of the board, but cannot be brought before the board because the board
2926 is unable to meet or cannot act on such application or request, the
2927 deadlines established pursuant to subdivision (1) or (2) of this
2928 subsection shall also be extended only for that period that the board is
2929 unable to meet or is unable to act on such application or request.

2930 (4) The provisions of this subsection shall not apply to annual
2931 groundwater remedial actions, including the preparation of a
2932 groundwater remedial action progress report, performed pursuant to
2933 subdivision (6) of section 95 of this act. Notwithstanding the provisions
2934 of this subsection, the board may continue to receive applications or
2935 requests for payment or reimbursement and provided all other
2936 requirements have been met, may order payment or reimbursement
2937 from the account for such activities.

2938 (e) (1) Any person who has insurance, or a contract or other
2939 agreement to provide payment or reimbursement for any costs,
2940 expense or other obligation paid or incurred in response to a release or
2941 suspected release may submit an application or request seeking
2942 payment or reimbursement from the account to the board, provided
2943 any such application or request for payment or reimbursement shall be
2944 subject to all applicable requirements, including, but not limited to,
2945 subdivision (7) of subsection (c) of section 22a-449f, as amended by this
2946 act.

2947 (2) Any person who at any time receives or expects to receive
 2948 payment or reimbursement from any source other than the account for
 2949 any cost, expense, obligation, damage or injury for which such person
 2950 has received or has applied for payment or reimbursement from the
 2951 account, shall notify the board, in writing, of such supplemental or
 2952 expected payment and shall, not more than thirty days after receiving
 2953 such supplemental payment, repay the underground storage tank
 2954 petroleum clean-up fund all such amounts received from any other
 2955 source.

2956 (3) If the board determines that a person is seeking or has sought
 2957 payment or reimbursement for any cost, expense, obligation, damage
 2958 or injury from the account and that payment or reimbursement for any
 2959 such cost, expense, obligation, damage or injury is actually or
 2960 potentially available to any such person from any source other than the
 2961 account, the board may impose any conditions it deems reasonable
 2962 regarding any amount it orders to be paid from the account.

2963 Sec. 92. Section 22a-449d of the general statutes is repealed and the
 2964 following is substituted in lieu thereof (*Effective from passage*):

2965 (a) There is established an Underground Storage Tank Petroleum
 2966 Clean-Up Account Review Board. [to review applications for
 2967 reimbursements and payments from the account established under
 2968 section 22a-449c.] Upon application for reimbursement or payment
 2969 pursuant to section 22a-449f, the board shall determine, [if a release
 2970 occurred and damage resulted from such release and the amount of
 2971 any such damage] based on the provisions of sections 22a-449a to 22a-
 2972 449i, inclusive, as amended by this act, and all regulations adopted
 2973 pursuant to said sections 22a-449a to 22a-449i, inclusive, whether or
 2974 not to order payment or reimbursement from the account. The board
 2975 shall have the authority to order payment from the residential
 2976 underground heating oil storage tank system clean-up subaccount to
 2977 registered contractors pursuant to section 22a-449l, or to owners
 2978 pursuant to section 22a-449n, for reasonable costs associated with the

2979 remediation of a residential underground heating oil storage tank
2980 system based on the guidelines established pursuant to subsection (c)
2981 of this section; hold hearings, administer oaths, subpoena witnesses
2982 and documents through its chairperson when authorized by the board;
2983 designate an agent to perform such duties of the board as it deems
2984 necessary except the duty to render a final decision to order
2985 reimbursement or payment from the account; and provide by notice,
2986 printed on any form, that any false statement made thereof or
2987 pursuant thereto is punishable pursuant to section 53a-157b.

2988 (b) The board shall consist of the Commissioners of Environmental
2989 Protection and Revenue Services, the Secretary of the Office of Policy
2990 and Management and the State Fire Marshal, or their designees; one
2991 member representing the Connecticut Petroleum Council, appointed
2992 by the speaker of the House of Representatives; one member
2993 representing the Service Station Dealers Association, appointed by the
2994 majority leader of the Senate; one member of the public, appointed by
2995 the majority leader of the House of Representatives; one member
2996 representing the Independent Connecticut Petroleum Association,
2997 appointed by the president pro tempore of the Senate; one member
2998 representing the [Connecticut Gasoline Retailers Association] Gasoline
2999 and Automotive Service Dealers of America, Inc., appointed by the
3000 minority leader of the House of Representatives; one member
3001 representing a municipality with a population greater than one
3002 hundred thousand, appointed by the Governor; one member
3003 representing a municipality with a population of less than one
3004 hundred thousand, appointed by the minority leader of the Senate; one
3005 member representing a small manufacturing company which employs
3006 fewer than seventy-five persons, appointed by the speaker of the
3007 House of Representatives; one member experienced in the delivery,
3008 installation, and removal of residential underground petroleum
3009 storage tanks and remediation of contamination from such tanks,
3010 appointed by the president pro tempore of the Senate; and one
3011 member who is an environmental professional licensed under section
3012 22a-133v and is experienced in investigating and remediating

3013 contamination attributable to underground petroleum storage tanks,
3014 appointed by the Governor. The board shall annually elect one of its
3015 members to serve as chairperson.

3016 (c) Not later than July 1, 2000, the board shall establish guidelines
3017 for determining what costs are reasonable for payment under sections
3018 22a-449l and 22a-449n and shall establish requirements for financial
3019 assurance, training and performance standards for registered
3020 contractors, as defined in said sections 22a-449l and 22a-449n. The
3021 board shall make payment pursuant to section 22a-449n to the owner
3022 at a rate not to exceed one hundred fifty-seven dollars per ton of
3023 contaminated soil removed which shall be considered as full payment
3024 for all eligible costs for remediation. For any claim filed pursuant to
3025 section 22a-449n where no contaminated soil is removed the board
3026 shall reimburse eligible costs in accordance with the guidelines
3027 pursuant to this section.

3028 (d) To the extent that funds are available in the residential
3029 underground heating oil storage tank system clean-up subaccount, the
3030 board may order payment from such subaccount to registered
3031 contractors for reimbursement of eligible costs for services associated
3032 with the remediation of a residential underground heating oil storage
3033 tank system prior to July 1, 2001, to owners of such systems for
3034 payment for eligible costs incurred after July 1, 2001. No such payment
3035 shall be authorized unless the board deems the costs reasonable based
3036 on the guidelines established pursuant to subsection (c) of this section.
3037 Notwithstanding the provisions of this subsection, if the board
3038 determines that the owner may not receive reimbursement payment
3039 from the contractor, the board may, if reimbursement has not been sent
3040 to the contractor, directly reimburse the owner of such system for
3041 eligible costs incurred by the owner and paid to the registered
3042 contractor for services associated with a remediation of a system prior
3043 to July 1, 2001.

3044 Sec. 93. Section 22a-449e of the general statutes is repealed and the

3045 following is substituted in lieu thereof (*Effective from passage*):

3046 (a) The Commissioner of Environmental Protection, after
3047 consultation with the members of the [review] board established by
3048 section 22a-449d, as amended by this act, shall adopt regulations in
3049 accordance with the provisions of chapter 54 setting forth procedures
3050 for reimbursement and payment from the account established under
3051 section 22a-449c, as amended by this act. Such regulations shall include
3052 such provisions as the commissioner deems necessary to carry out the
3053 purposes of sections 22a-449a to 22a-449h, inclusive, as amended by
3054 this act, including, but not limited to, provisions for (1) notification of
3055 eligible parties of the existence of the account; (2) records required for
3056 submission of claims and reimbursement and payment; (3) periodic
3057 and partial reimbursement and payment to enable responsible parties
3058 to meet interim costs, expenses and obligations; and (4) reimbursement
3059 and payment for costs, expenses and obligations incurred in
3060 connection with releases or suspected releases, and incurred after July
3061 5, 1989, for releases discovered before or after said date provided
3062 reimbursement and payment shall not be made for costs, expenses and
3063 obligations incurred by a responsible party on or before said date.

3064 (b) (1) The commissioner, in accordance with the procedures set
3065 forth in subdivision (2) of this subsection, may prescribe a schedule for
3066 the maximum or range of amounts to be paid from the account for
3067 labor, equipment, materials, services or other costs, expenses or
3068 obligations paid or incurred as a result of a release or suspected
3069 release. Such schedule shall not be a regulation, as defined in section 4-
3070 166 and the adoption, modification, repeal or use of such schedule
3071 shall not be subject to the provisions of chapter 54 concerning a
3072 regulation. The amounts in any such schedule may be less than and
3073 shall be not more than the usual, customary and reasonable amounts
3074 charged, as determined by the commissioner. Notwithstanding the
3075 provisions of sections 22a-449a to 22a-449j, inclusive, as amended by
3076 this act, or any regulation adopted by the commissioner pursuant to
3077 this section, upon adoption of any such schedule, the amount to be

3078 paid from the account for any labor, equipment, materials, services or
3079 other costs, expenses or other obligations, shall not exceed the amount
3080 established in any such schedule and such schedule may serve as
3081 guidance with respect to any costs, expenses or other obligations paid
3082 or incurred before the adoption of such schedule.

3083 (2) The commissioner shall adopt, revise or revoke said schedule in
3084 accordance with the provisions of this subsection. After consultation
3085 with the board, the commissioner shall publish notice of intent to
3086 adopt, revise or revoke the schedule, or any portion thereof, in a
3087 newspaper having substantial circulation in the affected area. There
3088 shall be a comment period of thirty days following publication of such
3089 notice during which interested persons may submit written comments
3090 to the commissioner. The commissioner shall publish notice of the
3091 adoption, revision or revocation of the schedule, or part thereof, in a
3092 newspaper having substantial circulation in the affected area. The
3093 commissioner shall, upon request, review and shall make any revisions
3094 the commissioner deems necessary to such schedule not more than
3095 once every two years or may do so more frequently as the
3096 commissioner deems necessary. The commissioner, after consultation
3097 with the board, may revise or revoke the schedule, in whole or in part,
3098 using the procedures specified in this subsection. Any person may
3099 request that the commissioner adopt, revise or revoke the schedule in
3100 accordance with this subsection.

3101 (c) Upon adoption of a schedule by the commissioner pursuant to
3102 subsection (b) of this section, the requirements concerning obtaining
3103 three bids for services rendered contained in regulations adopted
3104 pursuant to this section shall not apply, provided that the schedule
3105 includes the subject services.

3106 (d) An environmental professional, who has a currently valid and
3107 effective license issued pursuant to section 22a-133v, shall use a seal, as
3108 provided for in regulations adopted pursuant to section 22a-133v, to
3109 provide written approval required under section 22a-449c, as amended

3110 by this act, section 22a-449f, as amended by this act, and section 95 of
 3111 this act, and any approval without a seal shall not constitute an
 3112 approval of a licensed environmental professional. The regulations
 3113 adopted pursuant to section 22a-133v regarding the use of a seal and
 3114 the rules of professional conduct shall apply to the duties of a licensed
 3115 environmental professional contained in sections 22a-449a to 22a-449i,
 3116 inclusive, as amended by this act, and section 95 of this act.

3117 Sec. 94. Section 22a-449f of the general statutes is repealed and the
 3118 following is substituted in lieu thereof (*Effective from passage*):

3119 (a) A responsible party may apply to the Underground Storage
 3120 Tank Petroleum Clean-Up Account Review Board established under
 3121 section 22a-449d, as amended by this act, for reimbursement for costs
 3122 paid and payment of costs incurred as a result of a release, or a
 3123 suspected release, including costs of investigating and remediating a
 3124 release, or a suspected release, incurred or paid by [a responsible] such
 3125 party who is determined not to have been liable for any such release. If
 3126 a person [or entity,] other than a responsible party, claims to have
 3127 suffered [damage or personal injury] bodily injury, property damage
 3128 or damage to natural resources from a release, [and] the person with
 3129 such claim shall make reasonable attempts to provide written notice to
 3130 the responsible party of such claim and if such person cannot provide
 3131 such notice or if the responsible party [denies there was a release or]
 3132 does not apply to the board for payment of such claim not later than
 3133 sixty days after receipt of such notice or such other time as may be
 3134 agreed to by the parties, the person [or entity] holding such claim may
 3135 apply to the board for payment for such damage or [personal] bodily
 3136 injury.

3137 (b) (1) In addition to all other applicable requirements, a person
 3138 seeking payment or reimbursement from the account shall
 3139 demonstrate that when the total costs, expenses or other obligations in
 3140 response to a release or suspected release (A) are two hundred fifty
 3141 thousand dollars or less, that all labor, equipment and materials

3142 provided after October 1, 2005, and all services and activities
3143 undertaken after October 1, 2005, shall be approved, in writing, either
3144 by the commissioner or by a licensed environmental professional with
3145 a currently valid and effective license issued pursuant to section 22a-
3146 133v; and (B) exceeds two hundred fifty thousand dollars, that all
3147 labor, equipment and materials provided after October 1, 2005, and all
3148 services and activities undertaken after October 1, 2005, shall be
3149 approved, in writing, by the commissioner or that the commissioner
3150 has authorized, in writing, an environmental professional with a
3151 currently valid and effective license issued pursuant to section 22a-
3152 133v to approve, in writing, such labor, equipment, materials, services
3153 and activities, in lieu of a written approval by the commissioner. The
3154 provisions of this subsection shall apply to all costs, expenses or other
3155 obligations for which a person is seeking payment or reimbursement
3156 from the account and the board shall not order and the commissioner
3157 shall not make payment or reimbursement from the account for any
3158 cost, expense or other obligation, unless the person seeking such
3159 payment or reimbursement includes with an application or with a
3160 request for payment or reimbursement all written approvals required
3161 by this subdivision.

3162 (2) The fees charged by a licensed environmental professional
3163 regarding labor or services rendered in response to a release or
3164 suspected release may be included in any application or request for
3165 payment or reimbursement submitted to the board. The amount to be
3166 paid or reimbursed from the account for such fees may also be
3167 established in the schedule adopted by the commissioner pursuant to
3168 subsection (b) of section 22a-449e, as amended by this act.

3169 (3) Providing it is true and accurate, a licensed environmental
3170 professional shall submit the following certification regarding any
3171 approval provided under subdivision (1) of this subsection and section
3172 95 of this act: "I hereby agree that all of the labor, equipment, materials,
3173 services, and activities described in or covered by this certification was
3174 appropriate under the circumstances to abate an emergency or was

3175 performed as part of a plan specifically designed to ensure that the
3176 release or suspected release is or has been investigated in accordance
3177 with prevailing standards and guidelines and remediated consistent
3178 with and to achieve compliance with the remediation standards
3179 adopted under section 22a-133k of the general statutes."

3180 (c) The board shall order reimbursement or payment from the
3181 account for any cost paid or incurred, as the case may be, if, (1) such
3182 cost is or was incurred after July 5, 1989, (2) [the] a responsible party
3183 was or would have been required to demonstrate financial
3184 responsibility under 40 CFR Part 280.90 et seq. as said regulation was
3185 published in the Federal Register of October 26, 1988, for the
3186 underground storage tank or underground storage tank system from
3187 which the release emanated, whether or not such [owner] party is
3188 required to comply with said requirements on the date any such cost is
3189 incurred, provided if the state is the responsible party, the board may
3190 order payment from the account without regard to whether the state
3191 was or would have been required to demonstrate financial
3192 responsibility under said sections 40 CFR Part 280.90 et seq., (3) after
3193 the release, if any, the responsible party incurred a cost, expense or
3194 obligation for investigation, cleanup or for claims of [third parties] a
3195 person other than a responsible party resulting from [a] the release,
3196 provided any [third party] such claim shall be required to be finally
3197 adjudicated or settled with the prior written approval of the board
3198 before an application for reimbursement or payment is made, (4) the
3199 board determines that the cost, [is for damage that was incurred as a
3200 result of the release,] expense or other obligation is reasonable and that
3201 [the] there are not grounds for recovery specified in [subsection (b)]
3202 subdivision (1) or (3) of subsection (g) of this section, [do not exist at
3203 the time such determination is made,] (5) the responsible party notified
3204 the [board] commissioner of the release in accordance with regulations
3205 adopted pursuant to section 22a-449, as amended by this act, or, where
3206 such regulations are not applicable, as soon as practicable, [of the
3207 release,] and notified the board, as soon as practicable, of any [third
3208 party] claim by a person other than a responsible party, resulting from

3209 the release, [in accordance with the regulations adopted pursuant to
3210 section 22a-449e, and] (6) the [applicant] responsible party, or, if a
3211 person other than a responsible party applies for payment or
3212 reimbursement from the account, then such person demonstrates the
3213 remediation, including any monitoring to determine the effectiveness
3214 of the remediation, for which payment or reimbursement is sought is
3215 not more stringent than that required by the remediation standards
3216 established pursuant to section 22a-133k, except to the extent the
3217 [applicant] responsible party or such person demonstrates that it has
3218 been directed otherwise, in writing, by the [Department of
3219 Environmental Protection] commissioner, (7) the responsible party, or,
3220 if a person other than a responsible party applies for payment or
3221 reimbursement from the account, then such person demonstrates that
3222 it does not have insurance, or a contract or other agreement to provide
3223 payment or reimbursement for any cost, expense or other obligation
3224 incurred in response to a release or suspected release, or if there is any
3225 such insurance, contract or other agreement, that any insurance
3226 coverage has been denied or is insufficient to cover the costs, expenses
3227 or other obligations, paid or incurred or that any contract or other
3228 agreement is not able to or is insufficient to cover the costs, expenses or
3229 other obligations, paid or incurred, for which payment or
3230 reimbursement is sought from the account, (8) the responsible party
3231 demonstrates and the board determines that one of the milestones
3232 noted in section 95 of this act has been completed, (9) the board
3233 determines what, if any, reductions to the amounts sought from the
3234 account should be made based upon the compliance evaluations
3235 performed pursuant to subsection (d) of this section, and (10) if at the
3236 time any application or request for payment or reimbursement,
3237 including any supplemental application or request, is submitted to the
3238 board, there is no underground storage tank system dispensing
3239 petroleum on the property where the release or suspected release
3240 emanated or occurred, then the responsible party demonstrates, in
3241 addition to all other applicable requirements, that lack of compliance
3242 with provisions of the general statutes and regulations governing

3243 underground storage tank systems was not a proximate cause of the
3244 release or suspected release and that there are not grounds for
3245 recovery specified in subdivision (2) of subsection (g) of this section. In
3246 acting on an application or a request for payment or reimbursement,
3247 the board, using funds from the [underground storage tank petroleum
3248 clean-up] account, may contract with experts, including, but not
3249 limited to, attorneys and medical professionals, to better evaluate and
3250 defend against claims and negotiate [third party] claims by persons
3251 other than responsible parties. The costs of the board for experts shall
3252 not be charged to the amount allocated to the Department of
3253 Environmental Protection pursuant to section 22a-449c, as amended by
3254 this act. If a person other than a responsible party applies to the board
3255 claiming to have suffered bodily injury, property damage or damage
3256 to natural resources, the board shall order reimbursement or payment
3257 from the account if such person demonstrates that subdivisions (1), (2),
3258 (6) and (7) of this subsection are satisfied, the board determines that as
3259 a result of a release or suspected release such person has suffered
3260 bodily injury, property damage or damage to natural resources, that
3261 the costs, expenses or other obligations incurred are reasonable and the
3262 person submitting such claim demonstrates that it has attempted to or
3263 has provided written notice of its claim to the responsible party as
3264 required in subsection (a) of this section and that the responsible party
3265 has not applied to the board for payment or reimbursement of this
3266 claim.

3267 (d) (1) Except as provided in this subsection, if at the time any
3268 application or request for payment or reimbursement is submitted to
3269 the board, including any supplemental application or request, there is
3270 an underground storage tank system dispensing petroleum on the
3271 property where the release or suspected release emanated or occurred,
3272 such application or request shall not be deemed complete and shall not
3273 be acted upon by the board unless such application or request includes
3274 a summary of the compliance status of all the underground storage
3275 tank systems on the subject property. Any such summary shall include
3276 an evaluation of compliance with the design, construction, installation,

3277 notification, general operating, release detecting, system upgrading,
3278 abandonment and removal date requirements of the regulations
3279 adopted pursuant to sections 22a-449, as amended by this act, and 22a-
3280 449o and shall be prepared by an independent consultant on a form
3281 prescribed by or acceptable to the commissioner. The summary shall
3282 be based on an evaluation of said underground storage tank systems
3283 performed not more than one hundred eighty days before the board
3284 receives an application or a request for reimbursement or payment,
3285 except that with respect to any provision of the subject regulations
3286 regarding record keeping, periodic monitoring or testing, the summary
3287 shall be based on an evaluation of a one year period terminating
3288 within one hundred eighty days prior to the board's receipt of an
3289 application or a request for payment or reimbursement. The summary
3290 shall also include a full description of all corrective measures that have
3291 been taken or that are being taken with regard to any noncompliance
3292 identified in the compliance evaluation performed pursuant to this
3293 subdivision.

3294 (2) With respect to any initial application or request for payment or
3295 reimbursement regarding a release or suspected release the provisions
3296 of subdivision (1) of this subsection shall apply only to applications or
3297 requests received on or after January 1, 2006. With respect to any
3298 supplemental application or request for payment or reimbursement
3299 regarding a release or suspected release, the provisions of subdivision
3300 (1) of this subsection shall apply to each application or request
3301 submitted to the board on or after January 1, 2006, regardless of when
3302 the initial application or request was submitted, except that submission
3303 of a compliance summary shall not be required if at the time a
3304 supplemental application or request is submitted, less than one year
3305 has passed since the performance of a compliance evaluation
3306 submitted with any prior application or request.

3307 (3) The cost of hiring an independent consultant to perform a
3308 compliance evaluation, as required by this subsection, shall be eligible
3309 for payment or reimbursement from the account up to a maximum of

3310 one thousand dollars per compliance evaluation, provided the
3311 evaluation is in conformance with the requirements of this subsection
3312 and includes all underground storage tank systems on the property
3313 where a release or suspected release emanated or occurred. If the
3314 schedule adopted by the commissioner pursuant to subsection (b) of
3315 section 22a-449e, as amended by this act, includes an amount for
3316 performing a compliance evaluation, upon adoption of any such
3317 schedule, the amount eligible for payment or reimbursement for
3318 performing a compliance evaluation shall be the amount prescribed in
3319 any such schedule.

3320 (4) Nothing in this subsection shall affect the continued applicability
3321 of any decision of the board to (A) deny reimbursement or payment
3322 from the account, or (B) provide only partial payment or
3323 reimbursement regarding all applications or requests for payment or
3324 reimbursement from the account. Any such decision shall remain in
3325 effect and shall not be subject to reconsideration or reevaluation as a
3326 result of this subsection.

3327 (5) Except as provided for in this subdivision, if at the time any
3328 application or request for payment or reimbursement, including any
3329 supplemental application or request, is submitted, there is no
3330 underground storage tank system dispensing petroleum on the
3331 property where the release or suspected release emanated or occurred,
3332 any such application or request shall be subject to the provisions of
3333 subdivision (10) of subsection (c) of this section, even where a prior
3334 application or request was subject to the provisions of this subsection.
3335 The provisions of this subdivision shall not apply to an application or
3336 request for payment or reimbursement for annual groundwater
3337 remedial actions, including the preparation of a groundwater remedial
3338 action progress report, performed pursuant to subdivision (6) of
3339 section 95 of this act.

3340 (e) (1) If the compliance evaluation summary performed pursuant to
3341 subsection (d) of this section indicates that any of the violations noted

3342 in this subdivision exist with respect to any underground storage tank
3343 or underground storage tank system on the property at which a release
3344 or suspected release occurred and any such violations have not been
3345 fully corrected by the time an application or request for reimbursement
3346 is submitted to the board, the board shall reduce any payment or
3347 amount to be reimbursed as follows: (A) A one hundred per cent
3348 reduction of the payment or amount to be reimbursed for failure to
3349 meet the tank or piping construction requirements of section 22a-449o
3350 or the regulations adopted pursuant to section 22a-449, as amended by
3351 this act, or for failure to report the release to the commissioner as
3352 required by this section, (B) a seventy-five per cent reduction of the
3353 payment or amount to be reimbursed for failure to have properly
3354 functioning cathodic protection, spill prevention, overfill prevention,
3355 or release detection as required by the regulations adopted pursuant to
3356 section 22a-449, as amended by this act. Notwithstanding the
3357 provisions of this subsection, the board may reduce any amount to be
3358 paid or reimbursed based on any other violation of the provisions of
3359 the general statutes or regulations of Connecticut state agencies
3360 regarding ownership or operation of an underground storage tank
3361 system.

3362 (2) Nothing in this subsection and no determination by the board of
3363 any issue of fact or law shall affect the authority of the commissioner
3364 under any other statute or regulations, including, but not limited to,
3365 taking any enforcement action based upon the violations identified in
3366 any compliance evaluation performed pursuant to subsection (d) of
3367 this section.

3368 [(b) (1) For all work or services performed or materials provided
3369 after October 1, 2004, the board shall not order payment or
3370 reimbursement from the account for any cost paid or incurred, unless
3371 the application or preauthorization request seeking payment or
3372 reimbursement is received by the board within one hundred eighty
3373 days of the date that such work or services were rendered or
3374 performed or the date that any material was provided.]

3375 [(2)] (f) (1) For all work or services performed or materials provided
3376 before October 1, 2004, the board shall not order payment or
3377 reimbursement from the account for any cost paid or incurred, unless
3378 when seeking payment or reimbursement, the application or
3379 [preauthorization request seeking payment or reimbursement] any
3380 submission regarding work, services or materials that have been pre-
3381 authorized by the board is received by the board on or before April 1,
3382 2005.

3383 [(3)] (2) For purposes of this subsection, work or services shall be
3384 deemed rendered or performed on the date such work is rendered or
3385 performed and a material shall be deemed provided on the date a
3386 material is made available for use.

3387 (3) After the effective date of this section, the board shall not order
3388 payment or reimbursement from the account for any cost, expense or
3389 other obligation, paid or incurred, unless the application or request for
3390 payment or reimbursement is received by the board not later than one
3391 year after the completion of all or substantially all of the work or
3392 activities necessary to prepare the plan or report required by the
3393 milestones set forth in section 95 of this act.

3394 [(c)] (g) The Attorney General, upon the request of the board [.] or
3395 the commissioner, may institute an action in the superior court for the
3396 judicial district of Hartford to recover the amounts specified in this
3397 section from [the responsible party] any person who owns or operates
3398 an underground storage tank system at the time a release emanates or
3399 occurs from such system or any person who owns the real property on
3400 which a release emanates or occurs, provided such person owned the
3401 real property at or any time after the release emanates or occurs until
3402 the time that a final remediation action report is submitted by a
3403 licensed environmental professional or approved by the commissioner
3404 pursuant to subdivision (7) of section 95 of this act, if: (1) Prior to the
3405 occurrence of the release, the underground storage tank or
3406 underground storage tank system from which the release emanated

3407 was required by regulations adopted under section 22a-449, as
3408 amended by this act, to [be the subject of] to submit a notification to
3409 the [Commissioner of Environmental Protection] commissioner but
3410 [the responsible party knowingly and intentionally failed to notify the
3411 commissioner] no such notification was provided; (2) the release
3412 results from a reckless, wilful, wanton or intentional act or omission of
3413 [a responsible party] such person or a negligent act or omission of such
3414 person that constitutes noncompliance with the general statutes or
3415 regulations governing the installation, operation and maintenance of
3416 underground storage tanks; or (3) the release occurs from an
3417 underground storage tank or system which is not in compliance with
3418 [an] a final order issued by the commissioner pursuant to this chapter
3419 or [with the general statutes and regulations governing the installation,
3420 operation and maintenance of underground storage tanks and such
3421 lack of compliance was a proximate cause of such release] a final
3422 judgment issued by a court concerning non-compliance with a
3423 requirement of this chapter; or (4) payment has been made from the
3424 account, including payment to the commissioner pursuant to
3425 subsection (i) of this section, to a person other than a person against
3426 whom an action may be brought pursuant to this subsection. All costs
3427 to the state relating to actions to recover such payments, including, but
3428 not limited to, reasonable attorneys' fees, shall initially be paid from
3429 the underground storage tank petroleum clean-up account. In any
3430 recovery the board or the commissioner is entitled to recover from [a
3431 responsible party] such person (A) all payments made [by the board]
3432 from the account with respect to a release or suspected release,
3433 [including, but not limited to, payments to third parties,] (B) all
3434 payments made by the [Department of Environmental Protection]
3435 commissioner pursuant to subsection [(d)] (i) of this section with
3436 respect to a release or suspected release, (C) interest on such payments
3437 at a rate of ten per cent per year from the date such payments were
3438 made, and (D) all costs of the state relating to actions to recover such
3439 payments, including, but not limited to, reasonable attorneys' fees. All
3440 actions brought pursuant to this section shall have precedence in the

3441 order of trial, as provided in section 52-191. If the Attorney General has
3442 filed an action against a person seeking recovery of the amounts
3443 specified in this subsection or if the commissioner sends a person a
3444 demand letter regarding costs incurred by the state pursuant to section
3445 22a-451, any such person against whom an action has been brought or
3446 who receives a demand letter shall not submit an application or
3447 request for payment or reimbursement to the board seeking payment
3448 or reimbursement of any such amount sought by the Attorney General
3449 or by the commissioner. If any such application or request for payment
3450 or reimbursement is submitted, the board shall not take any action
3451 regarding any such application or request.

3452 [(d)] (h) The [review] board shall render its decision not more than
3453 ninety days after receipt of an application from a [responsible party or
3454 a third party] person, provided, in the case of a second or subsequent
3455 application, the board shall render its decision not more than forty-five
3456 days after receipt of such application. A copy of the decision shall be
3457 sent to the [Commissioner of Environmental Protection] commissioner
3458 and the [applicant or responsible party] person seeking payment or
3459 reimbursement by certified mail, return receipt requested. The
3460 [Commissioner of Environmental Protection] commissioner or any
3461 person aggrieved by the decision of the board may, within twenty
3462 days from the date of issuance of such decision, request a hearing
3463 before the board in accordance with the provisions of chapter 54. After
3464 such hearing, the board shall consider the information submitted to it
3465 and affirm or modify its decision on the application. A copy of the
3466 affirmed or modified decision shall be sent to [the applicant or
3467 responsible party] all parties to the hearing by certified mail, return
3468 receipt requested. Once the board renders a decision regarding an
3469 application or request for payment or reimbursement and no hearing
3470 has been requested pursuant to this subsection regarding any such
3471 decision, the costs, expenses or other obligations addressed by any
3472 such decision shall not be resubmitted in any other application or
3473 request.

3474 [(e)] (i) Whenever the commissioner determines that as a result of a
3475 release, as defined in section 22a-449a, as amended by this act, or a
3476 suspected release, a clean-up is necessary, including, but not limited to,
3477 actions to prevent or abate pollution or a potential source of pollution
3478 and to provide potable drinking water, the commissioner may
3479 undertake such actions using not more than one million dollars from
3480 the underground storage tank petroleum clean-up account for each
3481 release or suspected release from an underground storage tank or an
3482 underground storage tank system for which the responsible party is
3483 the state or for which [the] a responsible party was or would have been
3484 required to demonstrate financial responsibility under 40 CFR Part
3485 280.90 et seq., as said regulation was published in the Federal Register
3486 of October 26, 1988. [In addition, if a responsible party refuses to pay
3487 the first ten thousand dollars of third party claims, and has not already
3488 paid ten thousand dollars of costs resulting from the release or
3489 suspected release, the commissioner shall, upon order of the board
3490 pursuant to this section, make payment or reimbursement of the first
3491 ten thousand dollars of third party claims, provided (1) no more than
3492 ten thousand dollars of third party claims shall be paid pursuant to
3493 this subsection for each release or suspected release from an
3494 underground storage tank system for which the responsible party is
3495 the state or for which the responsible party was or would have been
3496 required to demonstrate financial responsibility under 40 CFR Part
3497 280.90 et seq., as said regulation was published in the Federal Register
3498 of October 26, 1988, and (2) that the board shall be entitled to recover
3499 such ten thousand dollars, notwithstanding the existence of the
3500 conditions specified in subdivisions (1) to (3), inclusive, of subsection
3501 (b) of this section.]

3502 (j) (1) If through an initial application or request for payment or
3503 reimbursement received by the board before June 1, 2005, the board
3504 has determined that a person has paid or incurred costs, expenses or
3505 other obligations that are eligible for payment or reimbursement from
3506 the account, with respect to any supplemental application or request
3507 for payment or reimbursement the following shall apply. The

3508 commissioner may identify a category of activities, costs, expenses, or
3509 other obligations that are less than one hundred thousand dollars for
3510 which, in lieu of full payment, the board may approve a percentage of
3511 the costs, expenses or other obligations paid or incurred. In making
3512 any such recommendation to the board, the commissioner shall
3513 consider the amounts previously paid from the account and any other
3514 information the commissioner deems relevant. Any such percentage
3515 shall be not more than, but may be less than, ninety per cent of the
3516 average amount, as determined by the commissioner, previously paid
3517 from the account for any activity, cost, expense or obligation. The
3518 board shall approve or disapprove, but shall not modify, payment of
3519 the percentage recommended by the commissioner pursuant to this
3520 subdivision. The commissioner may, using the procedures specified in
3521 this subdivision, recommend changes to any percentage previously
3522 approved by the board under this subdivision.

3523 (2) If the board approves payment of the percentage recommended
3524 by the commissioner, a person with a supplemental application or
3525 request for payment or reimbursement may agree to accept the
3526 percentage payment approved by the board. Any such acceptance
3527 shall be in writing, signed by the person seeking payment or
3528 reimbursement and shall acknowledge that the person is agreeing to
3529 accept less than the full amount sought by such person for the costs,
3530 expenses or other obligations covered by such acceptance. If the
3531 commissioner has prescribed forms, any such acceptance shall be
3532 made using the forms prescribed by the commissioner. Once a
3533 completed written acceptance is received, the board shall, not later
3534 than ninety days after receiving such acceptance, determine whether to
3535 order payment or reimbursement from the account. Any such
3536 determination by the board shall be limited to whether the costs,
3537 expenses or other obligations are within those for which the board has
3538 approved payment pursuant to subdivision (1) of this subsection.

3539 (3) Any amount ordered to be paid or reimbursed by the board shall
3540 be considered full payment for any such activity, expense or other

3541 obligation and a person shall not seek any additional reimbursement
 3542 from the account for any such activity, expense or other obligation. The
 3543 categories or activities for which the commissioner recommends
 3544 payment of a percentage pursuant to this subsection may constitute all
 3545 or a portion of the amounts sought in a supplemental application or
 3546 supplemental request for payment or reimbursement.

3547 (k) Notification to the commissioner pursuant to regulations
 3548 adopted pursuant to section 22a-449, as amended by this act, shall
 3549 constitute compliance with any regulation adopted pursuant to section
 3550 22a-449e, as amended by this act, regarding notification to the board of
 3551 a release.

3552 Sec. 95. (NEW) (*Effective from passage*) Notwithstanding any
 3553 provision of sections 22a-449a to 22a-449i, inclusive, of the general
 3554 statutes, as amended by this act, or any regulation adopted pursuant to
 3555 said sections, except as provided for in subdivision (6) of this section,
 3556 with respect to the investigation and remediation of a release, the
 3557 underground storage tank clean-up account established pursuant to
 3558 section 22a-449c of the general statutes, as amended by this act, shall
 3559 be used to provide payment or reimbursement only when any of the
 3560 following milestones are completed:

3561 (1) A release response report prepared by an environmental
 3562 professional, as defined in section 22a-133v of the general statutes, has
 3563 been submitted to the Commissioner of Environmental Protection
 3564 which report describes: (A) All initial response actions taken that are
 3565 necessary to prevent an on-going release and to mitigate an explosion,
 3566 fire or other safety hazard resulting from the release, (B) the results of
 3567 an initial site investigation that determines the presence and extent of
 3568 free product from the release, the potential for or existence of
 3569 groundwater pollution from the release which threatens the quality of
 3570 drinking water well or wells, and whether the release has resulted in
 3571 soil vapors or indoor air that threatens public health, and (C) all
 3572 interim actions taken and proposed to remove such free product to the

3573 extent technically practicable, to provide potable water to any person
3574 whose drinking water has been polluted by a substance from the
3575 release which is above the groundwater protection criteria or above a
3576 level determined by the Commissioner of Public Health to be an
3577 unacceptable risk of injury to the health or safety of persons using such
3578 groundwater as a public or private source of water for drinking or
3579 other personal or domestic uses, whichever is more stringent, and to
3580 mitigate any risk to public health from polluted soil vapor or indoor
3581 air resulting from the release.

3582 (2) An interim remedial action report approved, in writing, by a
3583 licensed environmental professional has been submitted to the
3584 Commissioner of Environmental Protection or an interim remedial
3585 action report has been approved, in writing, by the commissioner.
3586 Such interim remedial action report shall describe in detail all interim
3587 remedial action taken to: (A) Remove free product to the maximum
3588 extent technically practicable; (B) ensure that all persons whose
3589 drinking water was polluted by the release have been provided
3590 potable water; and (C) ensure that soil vapors which pose a risk to
3591 public health are prevented from migrating into any overlying
3592 buildings.

3593 (3) An investigation report and remedial action plan approved, in
3594 writing, by a licensed environmental professional has been submitted
3595 to the Commissioner of Environmental Protection, or an investigation
3596 report and remedial action plan has been approved, in writing, by the
3597 commissioner. Such investigation report and remedial action plan shall
3598 include a detailed description of an investigation which determines the
3599 existing and potential extent and degree of soil, surface water, soil
3600 vapor and groundwater pollution, on and off-site, resulting from the
3601 release and describes all actions proposed to remediate soil, surface
3602 water, air or groundwater polluted by the release in accordance with
3603 the regulations adopted pursuant to section 22a-133k of the general
3604 statutes.

3605 (4) A soil remedial action report approved, in writing, by a licensed
3606 environmental professional has been submitted to the Commissioner
3607 of Environmental Protection, or a soil remedial action report has been
3608 approved, in writing, by the commissioner. Such soil remedial action
3609 report shall describe in detail the extent of soil pollution resulting from
3610 the release, all remedial actions taken to abate such soil pollution, and
3611 all documentation that demonstrates that such soil pollution has been
3612 remediated in accordance with the regulations adopted pursuant to
3613 section 22a-133k of the general statutes.

3614 (5) A groundwater remedial action progress report approved, in
3615 writing, by a licensed environmental professional has been submitted
3616 to the Commissioner of Environmental Protection or a groundwater
3617 remedial action progress report has been approved, in writing, by the
3618 commissioner. Such report may only be submitted after all
3619 construction necessary to implement the approved groundwater
3620 remedial actions have been completed and that the groundwater
3621 remedial actions have been operated and monitored for one year. Such
3622 report shall include a detailed description of the remedial actions, the
3623 results of groundwater or any other monitoring conducted, an analysis
3624 of whether the remedial actions are effective, and a proposal for any
3625 changes in the groundwater remedial actions and monitoring that may
3626 be necessary to achieve compliance with the regulations adopted
3627 pursuant to section 22a-133k of the general statutes.

3628 (6) An annual groundwater remedial action progress report
3629 approved, in writing, by a licensed environmental professional has
3630 been submitted to the Commissioner of Environmental Protection or
3631 approved, in writing, by the commissioner. Such report shall include a
3632 detailed description of the remedial actions, the results of groundwater
3633 or any other monitoring conducted for the year covered by the report,
3634 an analysis of whether the remedial actions are effective, and a
3635 proposal for any changes in the groundwater remedial actions and
3636 monitoring that may be necessary to achieve compliance with the
3637 regulations adopted pursuant to section 22a-133k of the general

3638 statutes. A responsible party of section 22a-449f of the general statutes,
3639 as amended by this act, may submit to the board up to, but not more
3640 than, four separate applications or requests for payment or
3641 reimbursement in a calendar year regarding costs, expenses or
3642 obligations paid or incurred concerning annual groundwater
3643 monitoring or compliance with this subdivision.

3644 (7) A final remedial action report approved by a licensed
3645 environmental professional has been submitted to the Commissioner
3646 of Environmental Protection, or a final remedial action report has been
3647 approved, in writing, by the commissioner that documents that the
3648 release has been investigated in accordance with prevailing standards
3649 and guidelines and that the soil, surface water, groundwater and air
3650 polluted by the release has been remediated in accordance with the
3651 regulations adopted pursuant to section 22a-133k of the general
3652 statutes.

3653 (8) The Commissioner of Environmental Protection may adopt
3654 regulations, in accordance with the provisions of chapter 54 of the
3655 general statutes, establishing milestones for investigation and
3656 remediation of releases or suspected releases from underground
3657 storage tank systems, including milestones that differ from those set
3658 forth in this section. Upon the adoption of such regulations, the
3659 milestones for investigation and remediation for which payment or
3660 reimbursement is available from the account shall be those set forth in
3661 the regulations.

3662 (9) This section shall apply to an application or request for
3663 reimbursement or payment received by the board on or after October
3664 1, 2005, regardless of when the release or suspected release occurred,
3665 whether actions in response to the release or suspected release have
3666 already occurred or whether prior applications or requests seeking
3667 payment or reimbursement have already been submitted to the board.

3668 Sec. 96. (*Effective from passage*) Not later than one hundred eighty
3669 days after the effective date of this section, the Commissioner of

3670 Environmental Protection, in consultation with the board, shall
3671 develop and implement a plan for processing applications submitted
3672 to the board, with emphasis on applications that were submitted
3673 before June 30, 2005. Such plan may include, but need not be limited
3674 to, expedited procedures for processing certain categories of
3675 applications, identifying, providing notice of and processing
3676 incomplete applications, and providing assistance to applicants on
3677 how to submit complete applications. At six-month intervals, until July
3678 31, 2007, the commissioner shall provide the board with updates
3679 regarding the implementation of such plan. On or before July 31, 2007,
3680 the commissioner shall prepare a report describing the progress
3681 regarding processing of applications that were submitted before June
3682 30, 2005, estimated results achieved by utilizing new or revised
3683 procedures, the number and amount of applications pending and any
3684 recommendations for further improvements. Prior to implementing
3685 the plan required by this section, the commissioner shall seek comment
3686 from the public.

3687 Sec. 97. Section 25 of public act 05-175 is repealed and the following
3688 is substituted in lieu thereof (*Effective October 1, 2005*):

3689 Sections 22-150, 22-154 to 22-159, inclusive, 22-162, 22-162a, 22-173,
3690 22-175 to 22-180, inclusive, 22-182, 22-184, 22-185, 22-189, 22-190, 22-
3691 195, [and] 22-197 and 22-198 to 22-201, inclusive, of the general statutes
3692 are repealed.

3693 Sec. 98. Section 17a-485d of the general statutes is repealed and the
3694 following is substituted in lieu thereof (*Effective July 1, 2005*):

3695 (a) The Department of Mental Health and Addiction Services, in
3696 consultation with the Department of Social Services, shall conduct a
3697 study concerning the implementation of adult rehabilitation services
3698 under Medicaid. Not later than February 1, 2002, the departments shall
3699 jointly submit a report of their findings and recommendations to the
3700 Governor and to the joint standing committees of the General
3701 Assembly having cognizance of matters relating to public health,

3702 human services and appropriations and the budgets of state agencies,
3703 in accordance with the provisions of section 11-4a. The report shall
3704 include, but not be limited to, an implementation plan, a cost benefit
3705 analysis and a description of the plan's impact on existing services.

3706 (b) The Department of Mental Health and Addiction Services and
3707 the Department of Social Services shall conduct a study concerning the
3708 advisability of entering into an interagency agreement pursuant to
3709 which the Department of Mental Health and Addiction Services would
3710 provide clinical management of mental health services, including, but
3711 not limited to, review and authorization of services, implementation of
3712 quality assurance and improvement initiatives and provision of case
3713 management services, for aged, blind or disabled adults enrolled in the
3714 Medicaid program to the extent permitted under federal law. Not later
3715 than February 1, 2002, the departments shall jointly submit a report of
3716 their findings and recommendations to the Governor and to the joint
3717 standing committees of the General Assembly having cognizance of
3718 matters relating to public health, human services and appropriations
3719 and the budgets of state agencies, in accordance with the provisions of
3720 section 11-4a.

3721 (c) The Commissioner of Social Services shall take such action as
3722 may be necessary to amend the Medicaid state plan to provide for
3723 coverage of optional adult rehabilitation services supplied by
3724 providers of mental health services or substance abuse rehabilitation
3725 services for adults with serious and persistent mental illness or who
3726 have alcoholism or other substance abuse conditions, that are certified
3727 by the Department of Mental Health and Addiction Services. For the
3728 fiscal years ending June 30, 2004, and June 30, 2005, up to three million
3729 dollars in each such fiscal year of any moneys received by the state as
3730 federal reimbursement for optional Medicaid adult rehabilitation
3731 services shall be credited to the Community Mental Health Restoration
3732 subaccount within the account established under section 17a-485 and
3733 shall be available for use for the purposes of the subaccount. The
3734 Commissioner of Social Services shall adopt regulations, in accordance

3735 with the provisions of chapter 54, to implement optional rehabilitation
3736 services under the Medicaid program. The commissioner shall
3737 implement policies and procedures to administer such services while
3738 in the process of adopting such policies or procedures in regulation
3739 form, provided notice of intention to adopt the regulations is printed
3740 in the Connecticut Law Journal within forty-five days of
3741 implementation, and any such policies or procedures shall be valid
3742 until the time final regulations are effective.

3743 (d) Not later than February 1, 2006, the Commissioner of Mental
3744 Health and Addiction Services, in consultation with the
3745 Commissioners of Children and Families and Social Services shall
3746 report, in accordance with the provisions of section 11-4a, to the joint
3747 standing committees of the General Assembly having cognizance of
3748 matters relating to public health, human services and appropriations
3749 and the budgets of state agencies, on any moneys received by the state
3750 as federal Medicaid reimbursement for providing coverage of optional
3751 rehabilitation services for children and adults.

3752 ~~[(d)]~~ (e) The Commissioner of Mental Health and Addiction Services
3753 shall have the authority to certify providers of mental health or
3754 substance abuse rehabilitation services for adults with serious and
3755 persistent mental illness or who have alcoholism or other substance
3756 abuse conditions for the purpose of coverage of optional rehabilitation
3757 services. The Commissioner of Mental Health and Addiction Services
3758 shall adopt regulations, in accordance with the provisions of chapter
3759 54, for purposes of certification of such providers. The commissioner
3760 shall implement policies and procedures for purposes of such
3761 certification while in the process of adopting such policies or
3762 procedures in regulation form, provided notice of intention to adopt
3763 the regulations is printed in the Connecticut Law Journal no later than
3764 twenty days after implementation and any such policies and
3765 procedures shall be valid until the time the regulations are effective.

3766 Sec. 99. Section 1 of special act 05-13 is amended to read as follows

3767 *(Effective from passage):*

3768 The Commissioner of Higher Education, in consultation with the
3769 Office of Workforce Competitiveness, shall review the inclusion of
3770 nanotechnology, molecular manufacturing and advanced and
3771 developing technologies at institutions of higher education. Not later
3772 than January 1, 2006, the [board] Office of Workforce Competitiveness
3773 and the commissioner shall report their findings to the joint standing
3774 committee of the General Assembly having cognizance of matters
3775 relating to higher education and employment advancement, in
3776 accordance with the provisions of section 11-4a of the general statutes.

3777 Sec. 100. Section 35 of public act 05-245 is repealed and the
3778 following is substituted in lieu thereof (*Effective July 1, 2005*):

3779 (a) For the fiscal year ending June 30, 2006, the distribution of
3780 priority school district grants pursuant to subsection (a) of section 10-
3781 266p of the general statutes shall be as follows: (1) For priority school
3782 districts in the amount of [~~\$34,538,308~~] \$34,925,166, (2) for school
3783 readiness in the amount of [~~\$48,516,500~~] \$48,129,642, (3) for early
3784 reading success in the amount of \$19,747,286, (4) for extended school
3785 building hours in the amount of \$2,994,752, and (5) for school
3786 accountability in the amount of \$3,499,699.

3787 (b) For the fiscal year ending June 30, 2007, the distribution of
3788 priority school district grants pursuant to subsection (a) of section 10-
3789 266p of the general statutes shall be as follows: (1) For priority school
3790 districts in the amount of [~~\$35,862,269~~] \$36,513,547, (2) for school
3791 readiness in the amount of [~~\$51,006,500~~] \$50,355,222, (3) for early
3792 reading success in the amount of \$19,747,286, (4) for extended school
3793 building hours in the amount of \$2,994,752, and (5) for school
3794 accountability in the amount of \$3,499,699.

3795 Sec. 101. Subsection (e) of section 17a-485c of the general statutes, as
3796 amended by section 32 of house bill 7000 of the January, 2005 regular
3797 session, is repealed and the following is substituted in lieu thereof

3798 (Effective July 1, 2005):

3799 (e) Not later than October 1, 2005, the Secretary of the Office of
 3800 Policy and Management and the Commissioner of Mental Health and
 3801 Addiction Services shall enter into a memorandum of understanding
 3802 with the Departments of Social Services, Children and Families and
 3803 Economic and Community Development and the Connecticut Housing
 3804 Finance Authority. The memorandum of understanding shall provide
 3805 that: (1) A collaborative plan shall be submitted with specific
 3806 timetables to create up to five hundred dwelling units of supportive
 3807 housing under the Next Steps Initiative; (2) the Department of Social
 3808 Services may provide subsidies, including, but not limited to, project-
 3809 based rental subsidy certificates during the term of any mortgage loan,
 3810 that may include payments to fund reasonable repair and replacement
 3811 reserves; (3) the Connecticut Housing Finance Authority and the
 3812 Department of Economic and Community Development [shall] may
 3813 provide grants, mortgage loans or tax credits, or any combination
 3814 thereof that offer a viable financing package, including capitalized
 3815 operating reserves; (4) [after January 1, 2006, the State Treasurer and
 3816 the Secretary of the Office of Policy and Management may enter into a
 3817 debt service agreement to provide funding for debt service costs for
 3818 Section 501 (c)(3) of the Internal Revenue Code bonds issued by the
 3819 Connecticut Housing Finance Authority; (5)] the Departments of
 3820 Mental Health and Addiction Services, Social Services and Children
 3821 and Families [shall] may provide annual grants to the projects for
 3822 supportive services during the term of any mortgage loan; [and (6)] (5)
 3823 there shall be a plan for private and federal predevelopment financing
 3824 and financing from nonstate sources for grants and loans from private
 3825 investment through federal and state tax credit programs and federal
 3826 project-based rental subsidies; and (6) the parties to the memorandum
 3827 of understanding may include such other provisions to the
 3828 memorandum of understanding that the parties find: (A) Necessary to
 3829 assure the effectuation of the Supportive Housing Initiative, and (B)
 3830 appropriate for repayment of state assistance to the state, as a result of
 3831 payment of mortgage loans by the Connecticut Housing Finance

3832 Authority from federal or other sources of revenue, if any. Not later
 3833 than January 1, 2006, the Connecticut Housing Finance Authority shall
 3834 issue one or more requests for proposals by persons or entities
 3835 interested in participating in such initiative with priority given to
 3836 applicants that include organizations deemed qualified to provide
 3837 services by the Departments of Mental Health and Addiction Services,
 3838 Social Services and Children and Families. The Connecticut Housing
 3839 Finance Authority shall review and underwrite projects developed
 3840 under the Supportive Housing Initiative. For purposes of this
 3841 subsection, "state assistance" means a payment by the state of actual
 3842 debt service, comprised of principal, interest, interest rate swap
 3843 payments, liquidity fees, letter of credit fees, trustee fees, and other
 3844 similar bond-related expenses.

3845 Sec. 102. Section 33 of house bill 7000 of the January, 2005 regular
 3846 session is repealed and the following is substituted in lieu thereof
 3847 (*Effective July 1, 2005*):

3848 (a) For purposes of this section "state assistance" means a payment
 3849 by the state of actual debt service, comprised [on] of principal, interest,
 3850 [and reasonable operating reserves] interest rate swap payments,
 3851 liquidity fees, letter of credit fees, trustee fees, and other similar bond-
 3852 related expenses.

3853 (b) [The] On and after January 1, 2006, the State Bond Commission
 3854 may authorize the State Treasurer and the Secretary of the Office of
 3855 Policy and Management to enter into a contract or contracts to provide
 3856 state assistance on bonds issued by the Connecticut Housing Finance
 3857 Authority as provided in this section. If so authorized by the State
 3858 Bond Commission, the state, acting by and through the Secretary of the
 3859 Office of Policy and Management and State Treasurer, [may] shall
 3860 enter into a contract or contracts with the Connecticut Housing
 3861 Finance Authority that provide the state shall pay [actual debt service,
 3862 comprised on principal, interest and reasonable operating repair and
 3863 replacement reserves to the authority on] to said authority state

3864 assistance on bonds issued by said authority for purposes of providing
3865 funds for mortgage loans made by [the] said authority pursuant to the
3866 provisions of section 17a-485c of the general statutes, as amended by
3867 this act, funds for reasonable repair and replacement reserves and
3868 costs of issuance in an aggregate principal amount not to exceed
3869 seventy million dollars. [Any such contract entered into pursuant to
3870 this section shall include provisions that the Secretary of the Office of
3871 Policy and Management and the State Treasurer find: (1) Necessary to
3872 assure the effectuation of the Supportive Housing Initiative, (2)
3873 appropriate for repayment of the state assistance to the state as a result
3874 of payment of mortgage loans made by the authority from federal or
3875 other sources of revenues, if any, and (3) in the best interests of the
3876 state to allow that such state assistance be paid by the state directly to
3877 the trustee or paying agent for any bonds or refunding bonds, as
3878 applicable, with respect to which the state assistance is provided.] Any
3879 provision of such a contract entered into providing for payments equal
3880 to annual debt service shall [be deemed a] constitute a full faith and
3881 credit obligation of the state and as part of the contract of the state with
3882 the holders of any bonds or refunding bonds, as applicable, [and]
3883 appropriation of all amounts necessary to meet punctually the terms of
3884 such [provision] contract is hereby made and the State Treasurer shall
3885 pay such [amount] amounts as the same become due. The Connecticut
3886 Housing Finance Authority may pledge such state assistance as
3887 security for the payment of such bonds or refunding bonds issued by
3888 said authority. Any bonds so issued for the Supportive Housing
3889 Initiative by the Connecticut Housing Finance Authority and at any
3890 time outstanding may at any time or from time to time be refunded, in
3891 whole or in part, by the Connecticut Housing Finance Authority by the
3892 issuance of its refunding bonds in such amounts as the authority may
3893 deem necessary or appropriate but not exceeding an amount sufficient
3894 to refund the principal amount of the bonds to be so refunded, any
3895 unpaid interest thereon, and any premiums, commissions and costs of
3896 issuance necessary to be paid in connection therewith. [Any such
3897 refunding may be effected whether the bonds to be refunded shall

3898 have matured or shall thereafter mature.] The state, acting by and
3899 through the Office of Policy and Management and the State Treasurer
3900 and without further authorization, may execute an amendment to any
3901 contract providing state assistance as required in connection with such
3902 refunding bonds.

3903 (c) Notwithstanding any contract entered into by the state with the
3904 Connecticut Housing Finance Authority for state assistance the bonds
3905 or refunding bonds to which such state assistance applies shall not
3906 constitute bonds or notes issued or guaranteed by the state within the
3907 meaning of section 3-21.

3908 Sec. 103. Section 102 of house bill 7000 of the January, 2005 regular
3909 session is repealed and the following is substituted in lieu thereof
3910 (*Effective July 1, 2005*):

3911 The Commissioner of Children and Families shall have the
3912 authority to certify providers of behavioral health Medicaid [early
3913 periodic screening, detection and treatment] Early and Periodic
3914 Screening, Diagnostic and Treatment Services and rehabilitation
3915 services for HUSKY Plan Part A for the purpose of coverage of
3916 Medicaid [early periodic screening, detection and treatment] Early and
3917 Periodic Screening, Diagnostic and Treatment Services or optional
3918 rehabilitation services. The Commissioner of Children and Families
3919 may adopt regulations, in accordance with the provisions of chapter 54
3920 of the general statutes, for purposes of certification of such providers.
3921 The commissioner may implement policies and procedures for
3922 purposes of such certification while in the process of adopting such
3923 policies or procedures in regulation form, provided notice of intention
3924 to adopt the regulations is printed in the Connecticut Law Journal not
3925 later than twenty days after implementation and any such policies and
3926 procedures shall be valid until the time the regulations are effective.

3927 Sec. 104. Section 16 of substitute senate bill 94 of the January, 2005
3928 regular session is repealed and the following is substituted in lieu
3929 thereof (*Effective from passage*):

3930 (a) Notwithstanding any provision of the general statutes, any
3931 contract for legal services between [a state agency] the Attorney
3932 General and any person, firm or corporation that is entered into on or
3933 after January 1, 2006, and that will or that can reasonably be expected
3934 to result in attorney's fees, including, but not limited to, contingent fees
3935 paid to such person, firm or corporation in the amount of two hundred
3936 fifty thousand dollars or more shall be subject to requests for proposals
3937 or requests for qualifications and negotiation procedures.

3938 (b) Not later than October 1, 2005, the Attorney General shall
3939 establish requests for proposals or requests for qualifications and
3940 negotiation procedures for use by any state agency to enter into a
3941 contract described in subsection (a) of this section.

3942 [(c) No contract described in subsection (a) of this section shall be
3943 valid without the prior approval of the substance and form of such
3944 contract by the Attorney General.]

3945 Sec. 105. (NEW) (*Effective from passage*) (a) Any person who is a
3946 member of the State Ethics Commission on June 30, 2005, may serve as
3947 a member of the Citizen's Ethics Advisory Board, created pursuant to
3948 subsection (a) of section 1-80 of the general statutes, as amended by
3949 section 2 of public act 05-183, from July 1, 2005, until September 30,
3950 2005. Any such member who serves from July 1, 2005, until September
3951 30, 2005, shall be considered to be filling a vacancy as provided in
3952 subsection (c) of section 1-80 of the general statutes, as amended by
3953 section 2 of public act 05-183, and shall be eligible for appointment to
3954 one full four-year term thereafter. In the event that a vacancy occurs on
3955 the board during the period commencing July 1, 2005, until September
3956 30, 2005, such position on the board shall remain vacant until October
3957 1, 2005, unless an appointment is made pursuant to subsection (b) of
3958 this section.

3959 (b) From July 1, 2005, until September 30, 2005, in the event the
3960 Citizen's Ethics Advisory Board does not have enough members to
3961 constitute a quorum, the Governor may appoint members to serve

3962 until and including September 30, 2005, provided the president pro
3963 tempore of the Senate and the speaker of the House of Representatives
3964 approve such appointments. Any such member who serves from July
3965 1, 2005, until September 30, 2005, shall be considered to be filling a
3966 vacancy as provided in subsection (c) of section 1-80 of the general
3967 statutes, as amended by section 2 of public act 05-183, and shall be
3968 eligible for appointment to one full four-year term thereafter.

3969 Sec. 106. Subsection (c) of section 1-81 of the general statutes, as
3970 amended by section 3 of public act 05-183, is repealed and the
3971 following is substituted in lieu thereof (*Effective July 1, 2005*):

3972 (c) The executive director, described in subsection (b) of this section,
3973 shall be appointed by the Citizen's Ethics Advisory Board for an open-
3974 ended term. Such appointment shall not be made until all the initial
3975 board members appointed to terms commencing on October 1, 2005,
3976 are appointed by their respective appointing authorities, pursuant to
3977 subsection (a) of section 1-80, as amended by section 2 of public act 05-
3978 183. The board shall annually evaluate the performance of such
3979 executive director, in writing, and may remove the executive director,
3980 in accordance with the provisions of chapter 67.

3981 Sec. 107. (NEW) (*Effective from passage*) Any probable cause hearing
3982 initiated pursuant to chapter 10 of the general statutes on or before
3983 June 30, 2005, that is not concluded by such date shall be continued on
3984 or after July 1, 2005.

3985 Sec. 108. Subsection (g) of section 1-81 of the general statutes, as
3986 amended by section 3 of public act 05-183, is repealed and the
3987 following is substituted in lieu thereof (*Effective July 1, 2005*):

3988 (g) The Citizen's Ethics Advisory Board shall adopt regulations in
3989 accordance with chapter 54 to carry out the purposes of this part. Such
3990 regulations shall not be deemed to govern the conduct of any judge
3991 trial referee in the performance of such judge trial referee's duties
3992 pursuant to this chapter.

3993 Sec. 109. Subsection (a) of section 1-92 of the general statutes, as
3994 amended by section 16 of public act 05-183, is repealed and the
3995 following is substituted in lieu thereof (*Effective July 1, 2005*):

3996 (a) The Citizen's Ethics Advisory Board shall adopt regulations in
3997 accordance with chapter 54 to carry out the purposes of this part. Such
3998 regulations shall not be deemed to govern the conduct of any judge
3999 trial referee in the performance of such judge trial referee's duties
4000 pursuant to this chapter. Not later than January 1, 1992, the board shall
4001 adopt regulations which further clarify the meaning of the terms
4002 "directly and personally received" and "major life event", as used in
4003 subsection (e) of section 1-79 and subsection (g) of section 1-91.

4004 Sec. 110. Section 29-252a of the general statutes is repealed and the
4005 following is substituted in lieu thereof (*Effective July 1, 2005*):

4006 (a) The State Building Code, including any amendment to said code
4007 adopted by the State Building Inspector and Codes and Standards
4008 Committee, shall be the building code for all state agencies.

4009 (b) (1) No state building or structure or addition to a state building
4010 or structure; [, that] (A) That exceeds the threshold limits contained in
4011 section 29-276b and requires an independent structural review under
4012 said section, or (B) that includes residential occupancies for twenty-five
4013 or more persons, shall be constructed [or altered] until an application
4014 has been filed by the commissioner of an agency authorized to contract
4015 for the construction of buildings under the provisions of section 4b-1
4016 or 4b-51 with the State Building Inspector and a building permit issued
4017 by the State Building Inspector. Two copies of the plans and
4018 specifications for the building, structure or addition to be constructed
4019 [or altered] shall accompany the application. The commissioner of any
4020 such agency shall certify that such plans and specifications are in
4021 substantial compliance with the provisions of the State Building Code
4022 and, where applicable, with the provisions of the State Fire Safety
4023 Code. The State Building Inspector shall review the plans and
4024 specifications for the building, structure or addition to be constructed

4025 [or altered] to verify their compliance with the requirements of the
4026 State Building Code and, [within] not later than thirty days [of] after
4027 the date of application, shall issue or refuse to issue the building
4028 permit, in whole or in part. The State Building Inspector may request
4029 that the State Fire Marshal review such plans to verify their
4030 compliance with the State Fire Safety Code.

4031 (2) On and after July 1, 1999, the State Building Inspector shall
4032 assess an education fee on each building permit application. During
4033 the fiscal year commencing July 1, 1999, the amount of such fee shall be
4034 sixteen cents per one thousand dollars of construction value as
4035 declared on the building permit application, and the State Building
4036 Inspector shall remit such fees, quarterly, to the Department of Public
4037 Safety, for deposit in the General Fund. Upon deposit in the General
4038 Fund, the amount of such fees shall be credited to the appropriation to
4039 the Department of Public Safety and shall be used for the code training
4040 and educational programs established pursuant to section 29-251c. On
4041 and after July 1, 2000, the assessment shall be made in accordance with
4042 regulations adopted pursuant to subsection (d) of section 29-251c.

4043 (c) All state agencies authorized to contract for the construction of
4044 any buildings or the alteration of any existing buildings under the
4045 provisions of section 4b-1 or 4b-51 shall be responsible for substantial
4046 compliance with the provisions of the State Building Code, the State
4047 Fire Safety Code and the regulations lawfully adopted under said
4048 codes for such building or alteration to such building, as the case may
4049 be. Such agencies shall apply to the State Building Inspector for a
4050 certificate of occupancy for all buildings or alterations of existing
4051 buildings for which a building permit is required under subsection (b)
4052 of this section and shall certify compliance with the State Building
4053 Code, the State Fire Safety Code and the regulations lawfully adopted
4054 under said codes for such building or alteration to such building, as
4055 the case may be, to the State Building Inspector prior to occupancy or
4056 use of the facility.

4057 (d) (1) No state building or structure erected or altered on and after
4058 July 1, 1989, for which a building permit has been issued pursuant to
4059 subsection (b) of this section, shall be occupied or used in whole or in
4060 part, until a certificate of occupancy has been issued by the State
4061 Building Inspector, certifying that such building or structure
4062 substantially conforms to the provisions of the State Building Code
4063 and the regulations lawfully adopted under said code and the State
4064 Fire Marshal has verified substantial compliance with the State Fire
4065 Safety Code and the regulations lawfully adopted under said code for
4066 such building or alteration to such building, as the case may be.

4067 (2) No state building or structure erected or altered on and after July
4068 1, 1989, for which a building permit has not been issued pursuant to
4069 subsection (b) of this section shall be occupied or used in whole or in
4070 part, until the commissioner of the agency erecting or altering the
4071 building or structure certifies to the State Building Inspector that the
4072 building or structure substantially complies with the provisions of the
4073 State Building Code, the State Fire Safety Code and the regulations
4074 lawfully adopted under said codes for such building or alteration to
4075 such building, as the case may be.

4076 (e) The State Building Inspector or [the] said inspector's designee [of
4077 the inspector shall] may inspect or cause to be inspected any
4078 construction of buildings or alteration of existing buildings by state
4079 agencies, except that said inspector or designee shall inspect or cause
4080 an inspection if the building being constructed includes residential
4081 occupancies for twenty-five or more persons. The State Building
4082 Inspector may order any state agency to comply with the State
4083 Building Code.

4084 (f) The joint standing committee of the General Assembly having
4085 cognizance of matters relating to the Department of Public Safety may
4086 annually review the implementation date in subsection (b) of this
4087 section, to determine the need, if any, for revision.

4088 (g) Any person aggrieved by any refusal to issue a building permit

4089 or certificate of occupancy under the provisions of this section or by an
4090 order to comply with the State Building Code or the State Fire Safety
4091 Code may appeal, de novo, to the Codes and Standards Committee not
4092 later than seven days after the issuance of any such refusal or order.

4093 (h) State agencies shall be exempt from the permit requirements of
4094 section 29-263 and the certificate of occupancy requirement under
4095 section 29-265.

4096 Sec. 111. Subdivision (1) of subsection (i) of section 14-227a of the
4097 general statutes, as amended by section 28 of public act 05-218, is
4098 repealed and the following is substituted in lieu thereof (*Effective*
4099 *October 1, 2005*)

4100 (1) The Commissioner of Motor Vehicles shall permit a person
4101 whose license has been suspended in accordance with the provisions
4102 of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this
4103 section to operate a [passenger] motor vehicle if (A) such person has
4104 served not less than one year of such suspension, and (B) such person
4105 has installed an approved ignition interlock device in each motor
4106 vehicle owned or to be operated by such person. No person whose
4107 license is suspended by the commissioner for any other reason shall be
4108 eligible to operate a motor vehicle equipped with an approved ignition
4109 interlock device.

4110 Sec. 112. Subsection (a) of section 14-227j of the general statutes, as
4111 amended by section 29 of public act 05-218, is repealed and the
4112 following is substituted in lieu thereof (*Effective from passage*):

4113 (a) For the purposes of this section and section 14-227k: "Ignition
4114 interlock device" means a device installed in a [passenger] motor
4115 vehicle that measures the blood alcohol content of the operator and
4116 disallows the mechanical operation of such motor vehicle until the
4117 blood alcohol content of such operator is less than twenty-five
4118 thousandths of one per cent.

4119 Sec. 113. (*Effective from passage*) Sections 1 to 8, inclusive, of public
4120 act 05-228 shall take effect October 1, 2005.

4121 Sec. 114. Section 145 of public act 03-6 of the June 30 special session,
4122 as amended by section 1 of public act 04-244, is repealed. (*Effective from*
4123 *passage*)

4124 Sec. 115. Sections 12-802b and 46b-149d of the general statutes are
4125 repealed. (*Effective July 1, 2005*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-28b
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	SA 99-8, Sec. 1(d)
Sec. 4	<i>July 1, 2005</i>	12-564(b)
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>January 1, 2006</i>	52-434(f)
Sec. 7	<i>July 1, 2005</i>	22a-27h(b)
Sec. 8	<i>July 1, 2006</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>July 1, 2005, and applicable to taxable years commencing on or after January 1, 2005</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>July 1, 2005</i>	New section
Sec. 16	<i>July 1, 2005</i>	10a-77(d)
Sec. 17	<i>July 1, 2005</i>	10a-99(d)
Sec. 18	<i>July 1, 2005</i>	10a-105(e)
Sec. 19	<i>from passage</i>	27-102n(e)
Sec. 20	<i>January 1, 2006</i>	31-98
Sec. 21	<i>July 1, 2005</i>	New section
Sec. 22	<i>July 1, 2005</i>	New section
Sec. 23	<i>July 1, 2005</i>	28-31

Sec. 24	<i>from passage</i>	PA 01-1 of the June Sp. Sess., Sec. 51
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>July 1, 2005</i>	14-41(a)
Sec. 27	<i>July 1, 2005</i>	14-164m
Sec. 28	<i>July 1, 2005</i>	New section
Sec. 29	<i>July 1, 2005</i>	New section
Sec. 30	<i>July 1, 2005</i>	New section
Sec. 31	<i>July 1, 2005</i>	New section
Sec. 32	<i>July 1, 2005</i>	12-20b
Sec. 33	<i>from passage</i>	New section
Sec. 34	<i>from passage</i>	New section
Sec. 35	<i>July 1, 2005</i>	New section
Sec. 36	<i>from passage</i>	12-15(b)
Sec. 37	<i>July 1, 2005</i>	29-223a
Sec. 38	<i>from passage</i>	12-815a
Sec. 39	<i>from passage</i>	12-557e
Sec. 40	<i>from passage</i>	12-806a
Sec. 41	<i>July 1, 2005</i>	New section
Sec. 42	<i>July 1, 2005</i>	New section
Sec. 43	<i>July 1, 2005</i>	3-55j(i)
Sec. 44	<i>October 1, 2005</i>	New section
Sec. 45	<i>October 1, 2005</i>	New section
Sec. 46	<i>July 1, 2006</i>	New section
Sec. 47	<i>October 1, 2005</i>	New section
Sec. 48	<i>from passage</i>	20-334d
Sec. 49	<i>July 1, 2005</i>	29-6b
Sec. 50	<i>from passage</i>	New section
Sec. 51	<i>from passage and applicable to estates of decedents dying on or after January 1, 2005</i>	12-359
Sec. 52	<i>from passage</i>	12-364
Sec. 53	<i>from passage</i>	12-366
Sec. 54	<i>from passage</i>	12-391(a) and (b)
Sec. 55	<i>from passage</i>	12-392(b)(3)
Sec. 56	<i>from passag, and applicable to estates of decedents dying on or after January 1, 2005</i>	45a-107(b)(1)

Sec. 57	<i>from passage</i>	12-398(e)
Sec. 58	<i>from passage and applicable to taxable years commencing, gifts made, and estates of decedents dying on or after January 1, 2006</i>	New section
Sec. 59	<i>September 1, 2005</i>	PA 05-25, Sec. 88
Sec. 60	<i>July 1, 2005</i>	18-81r
Sec. 61	<i>July 1, 2005</i>	New section
Sec. 62	<i>July 1, 2005</i>	New section
Sec. 63	<i>July 1, 2005</i>	New section
Sec. 64	<i>July 1, 2005</i>	10a-77a(a)(2)
Sec. 65	<i>July 1, 2005</i>	10a-109i(b)(2)
Sec. 66	<i>July 1, 2005</i>	10a-143a(a)(2)
Sec. 67	<i>July 1, 2005</i>	10a-99a(a)(2)
Sec. 68	<i>from passage</i>	New section
Sec. 69	<i>from passage</i>	PA 00-192, Sec. 48
Sec. 70	<i>July 1, 2005</i>	New section
Sec. 71	<i>July 1, 2005</i>	New section
Sec. 72	<i>July 1, 2005</i>	PA 05-25, Sec. 33(a)
Sec. 73	<i>from passage</i>	New section
Sec. 74	<i>July 1, 2005</i>	PA 05-25, Sec. 51(b)
Sec. 75	<i>July 1, 2005</i>	New section
Sec. 76	<i>July 1, 2005</i>	New section
Sec. 77	<i>July 1, 2005</i>	10-264l(c)
Sec. 78	<i>July 1, 2005</i>	10-266aa
Sec. 79	<i>July 1, 2005</i>	10-264l
Sec. 80	<i>July 1, 2005</i>	New section
Sec. 81		
Sec. 82	<i>July 1, 2005</i>	53-341b
Sec. 83	<i>July 1, 2005</i>	17b-802(a)
Sec. 84	<i>from passage</i>	New section
Sec. 85	<i>from passage</i>	New section
Sec. 86	<i>July 1, 2005</i>	29-224a
Sec. 87	<i>July 1, 2005</i>	29-224b
Sec. 88	<i>July 1, 2005</i>	29-225
Sec. 89	<i>from passage</i>	22a-449
Sec. 90	<i>from passage</i>	22a-449a
Sec. 91	<i>from passage</i>	22a-449c

Sec. 92	<i>from passage</i>	22a-449d
Sec. 93	<i>from passage</i>	22a-449e
Sec. 94	<i>from passage</i>	22a-449f
Sec. 95	<i>from passage</i>	New section
Sec. 96	<i>from passage</i>	New section
Sec. 97	<i>October 1, 2005</i>	PA 05-17, Sec. 25
Sec. 98	<i>July 1, 2005</i>	17a-485d
Sec. 99	<i>from passage</i>	SA 05-13, Sec. 1
Sec. 100	<i>July 1, 2005</i>	PA 05-24, Sec. 35
Sec. 101	<i>July 1, 2005</i>	17a-485c(e)
Sec. 102		
Sec. 103		
Sec. 104		
Sec. 105	<i>from passage</i>	New section
Sec. 106	<i>July 1, 2005</i>	1-81(c)
Sec. 107	<i>from passage</i>	New section
Sec. 108	<i>July 1, 2005</i>	1-81(g)
Sec. 109	<i>July 1, 2005</i>	1-92(a)
Sec. 110	<i>July 1, 2005</i>	29-252a
Sec. 111	<i>October 1, 2005</i>	14-227a(i)(1)
Sec. 112	<i>from passage</i>	14-227j(a)
Sec. 113	<i>from passage</i>	New section
Sec. 114	<i>from passage</i>	Repealer section
Sec. 115	<i>July 1, 2005</i>	Repealer section